1627

ΣΙΝΙΟΡΡΑΓΙΑ,

The Sifters Sieve Broken:

OR A

TREATISE

Clearly Proving,

That Bishops are not *Jure Divino.*
That their sole Government without the help of Presbyters is an Usurpation and Innovation.
That the Oath of the Kings of *England*, taken at their Coronation, is not to be extended to preserve Bishops, *&c.*

By *John Gerce*, M. A. and late Pastor of S. Faiths under *Pauls London.*

Secundum honorum vocabula, quæ jam Ecclesiæ usus obtinuit Episcopatus, Presbyterio major. *Aug. Ep.* 19.
Communi Presbyteriorum Consilio regebantur Ecclesiæ. *Hierom. in Tit.* 1.
Let the peace of God rule and sway in your hearts; to which also ye are called in one body, Col. 13. 15.

Printed at *London*, and are to be sold at the *Crane* in *Pauls* Church-yard. 1660.

TO THE

RIGHT VVORSHIPFVL

Sir *Francis Nethersole*, of *Nethersole*, Knight:
Grace and Peace.

Much Honoured Sir,

THough the great reſpect, which you have been pleaſed to vouchſafe me, might be engagement ſufficient to this Scholaſtical gratitude; Yet the ſuitableneſs of the ſubject, added much to my inclination, in this way, to let the world know, that I am in the number of thoſe, who are grateful

A honou-

honourers of your Learning, and Godlineſs. The Book I preſent to you, is Polemical; But the intention of my contention is Irenical. As it is Polemical, your learning renders you able to judg of it. As it is Irenical, your piety (which bears the old ſtamp) will incline you to imbrace it; for all that know you throughly, will give you teſtimony, to be a lover of peace, as it is a thing commanded of God, not as it is popular, and pleaſing to men; And that you have been a perſwader of it; not for private, but publique intereſt; not becauſe it is eaſie, but holy; having had as deep a ſence, as any, of the ſad ſufferings of your dear Countrey, in her honour, ſtrength, wealth, and Religion, by

by the preſent unnatural War.

Sr, In this Paper-Combat, I have met with ſuch an Adverſary, as makes me need, not onely candor, but ſuccour; yet not againſt his ſubtilties, but calumnies; Neither this, to thoſe that know me, but to ſtrangers: for his perſonal criminations, are ſuch groſs miſtakes, that they will render him ridiculous, to all that underſtand my judgment and carriage in theſe preſent diſtractions. But yet they may make me odious, where I am unknown; as I am to moſt of thoſe of quality, whom this Reply ſhould ſatisfie. Sir, If your name and teſtimony, free my perſon from prejudice with ſuch, that they may ponder the Argument in an equal

ballance, I have enough; for I never desire more from any Reader, then what the weight of unprejudic'd Reason inclines him to give. Controversies are of themselves troublesome; especially when they come to Replies, and Rejoynders. Therefore, that I may not add to your trouble, with a long Epistle, praying for an increase of your graces, and blessing on your self, yours, and all your good endeavors, especially those, for an happy Peace; I take leave, and remain

Sir,

From my Study in [redacted]-Lane, [redacted]

Yours to serve you in the Lord Jesus,

John Geree.

The

The Preface to the Reader.

Parag. I.

Detecting the falſe unjuſt, and uncharitable dealing of Doctor *Boughen*, in his Sifting my *Caſe of Conſcience Reſolved*. Whereby it may appear, whoſe *Sieve* he uſed [a] σινδόνα *Cribrari* to *Sift* this Reſolution.

Chriſtian Reader,

THERE *Preſent unto thee a Reply to an Anſwer made to a Book of mine, by a man I know not; and it ſeems I am not known to him. For in it, he chargeth me not onely with error in judgment, which is incident to man,* Humanum eſt errare: *But alſo imputes to me pravity of intention, both to King and Kingdom, which is* Diabolicum, *the Character of thoſe, whom Satan poſſeſſes, filling their hearts with ſuch corrupt affections. Now to manifeſt my innocency, and (at the beſt) the* Doctors *great miſtake in theſe accuſations, I know no better way, then that which* Paul *took, in a caſe of malitious accuſation before* Feſtus, *and King* Agrippa, Acts 26. verſe 4. *To lay open what my manner of carriage hath been, in this preſent National difference; all the irregularities, whereof, on one ſide my* Opponent *layes throughout his Book to my charge. Thou maieſt therefore underſtand; That in theſe late unnatural diſtempers of our Church and Nation, I have been a zealous Studier of Peace, and an hearty mourner, not onely for the ſins, but the hard and irregular ſufferings of either partie. And have been conſcientiouſly tender of that duty, wherein, either*

[a] σινδὼν Græcè cribrum eſt apud Heſychium & σινδόνα cribrare apud eundem. Cam. Myroth. Evang. in luc. 22. 31.

either by the Word of God, or the legal oaths of this Nation, I ſtood engaged to my Soveraign. Hence have I, both ſuffered for him, and with him. And in my ſympathie, I was pierc'd the deeper, becauſe I could not but look upon his ſufferings, as reflecting ſcandal on our Religion, and Nation. Neither knew I how to excuſe thoſe, whom I was bound in conſcience in ſo great a degree, to love, and honour in their places (as wel as his Majeſtie;) that not to be able to clear them, was (I truly pro-
Pſalm. 42. 10. feſs) as Davids ſword in my bones. This made me reſtleſs in my ſpirit, while there was any thing (within my ſphere) for me to do, whereby any, the leaſt, probability appeared to further accommodation. For I ſtood in dread of a prolonged Civil War, not onely becauſe it would hazzard the Honour, and Weal of King and Parliament, in whoſe Union and mutual ſafetie, was involved the Glory, Strength, and Liberty of this Nation; But alſo, becauſe I fore-ſaw what ſluces it would ſet wide open to all exceſs of riot. And the further the War proceeded, the more was I confirmed in my ſad progneſticks of it; For it ſeemed evident, that though the pretences for War were ſpecious, viz. Truth, and Purity: Either of which, is more precious then Peace; yet unleſs, by ſome happie accommodation, War were ſhortned, we were in great danger to be no ſmal loſers, both in Truth and Holyneſs. Hereupon I drew up a Treatiſe of accommodation, preſſing it with Arguments, by mutual condeſcention. Which ſo far had the approbation of ſome peaceable men of quality, that had not ſome croſs accidents prevented, it may be, it might have ſeen the light.

While my thoughts were ſtill buſied about peace, We had intelligence, where I lived, that the King, ſending from Oxford to the Parliament, for a Treaty for Accommodation; had by the Earl of Eſſex, the Lord General, a ſhort anſwer returned, with a Copie of the National Covenant encloſed in it. The Engliſh whereof was interpreted to be, that unleſs the Covenant were taken, no accommodation could be expected; thereupon I took a ſerious view of the Covenant, to ſee what was in it, that might cauſe unanſwerable ſcruple. The reſult of my thoughts was, that except the ſecond Article about Epiſcopacy,

(mutalts

(mutatis mutandis, *those things being altered, that upon Accommodation must have admitted alteration*) *there was nothing, that might greatly scruple, a minde moderate and peaceable. And for that second Article, considering the government of the Church by Bishops, was never determined by our Church to be* Jure Divino; *And that we acknowledg, as Sisters, those Churches that have admitted Presbytery; And sith what is Humane, is upon good and weighty motives, alterable; And what more weightie motive can be to induce a Prince, to consent to alter what is alterable, then to preserve three flourishing Churches and Kingdoms, from blood and ashes? The only difficulty, I apprehended, in reference to his Majesty, in that Article, (supposing him to be of the same judgement, with this most learned Father, touching Episcopacy, in his* Basilicon Doron) *rested in his oath at Coronation; which I had read urged strongly, but modestly, in an* Anonymus *Book, written on the Royal side about this War; and afterward prest with more violence, in a Treatise against the Covenant.*

On these Books, therefore I resolved to make an assay, whether what was objected in that particular, were solveable. And on this occasion was the Case Resolved *first compiled. Which having finish'd, I communicated to one of the Kings Chaplains (as learned, rational, and sincerely affected to his Majestie, as Doctor* Boughen, *though not so froward) who agreed with me in desiring, and endeavouring accommodation. He presented it to a Counseller of State, (a lover of peace, and in good esteem with his Majestie;) What use he made of it, I know not. But mine own Copy lay dead in my hands, till the King went from* Oxford *into the* Scots *Army; By whom being brought to* New-Castle, *his Majestie had divers disputes with Master* Hinderson *about this very subject; Which occasioned me to re-view my notes, and shew them to a learned friend, who judging them not contemptible, told the* Scots *Ministers of the Assembly, of such a Tract that he had seen; whereupon they earnestly desired it, either in Print, or in Writing. On this occasion, after some moneths, if not years, it saw the light. And some Copies being given to the* Scots *Commissioners,*

miſſioners, they preſented one to the King, who read it and (if my Intelligencer fail me not) though he received not ſatisfacti-on by it, yet his cenſure of it, did neither diſcover paſſion, nor contempt, but the contrary.

But Quorſum hæc? *That the Reader may know, With what an innocent, and upright heart, my* Caſe of Conſcience Reſolved *was compoſed. The main intention of it, being nothing, but a good accommodation, for the honour and ſafety of Sovereign, and Countrey. That thereby, not onely the uncharitableneſs, but the impertinency, falſeneſs, and injuſtice, may appear, of thoſe bitter calumnies, that are every where ſcattered in the Anſwerers Treatiſe, like Ulcers in an unſound Body, of which his two Epiſtles are not free, which come firſt to receive* Animadverſions.

ANIMAD-

Parag. II.

Animadversions on *Doctor* Boughen's *two Epistles, clearing the Author of the* Case Resolved, *from imputations of sleighting Authority, and retorting them on the Accuser.*

Doctor *Boughen* dedicates his Book to the King, and gives his reason, because, *It is "a justification of his Coronation-oath, of "his Crown and Dignity; And the "faireſt Flower of it, Spreamacy.*

Touching the Oath, we shall consider in the body of the Book it self. But what speaks he of defending the *Kings Crown and dignity*? As though that were endangered, by the *Case Resolved*. Whereas the occasion and intention of that Treatise, was, (as the Introduction expresseth, and the matter evidenceth) to prevent that great hazzard of both, which since they have undergone. And was written by one, as well affected to his Majesties Crown and dignitie, and, I doubt, more sincerely then *D. B.* is. Nor hath he more need to defend the *Kings Supreamacy*, from any danger that it was in by my Book; For I doubt not, but (when I come to the last Chapter of his Book, wherein the point of Supreamacy is handled) to make it evident, that I have detracted nothing of that Supreamacie, which the King doth challenge; Nor, what I had not warrant for, from his Majesties own Pen; No, nor, but what this Answerer himself is forced to relinquish, while, and where he makes a Mimick shew of opposition.

There is one passage more in this Epistle, which I cannot

paſs by. Where he hath ſpoken of one, *That during the "Eclipſe of Heaven, durſt acknowledg our Saviours King-"dom*, &c. He interrogates (with reference to the King) "*and ſhall I be aſhamed to do the like?* Give me leave Sir, to anſwer your queſtion. No wiſe men will think you need be aſhamed of Dedicating a book to his Majeſtie, though under an Eclipſe. But they may doubt, whether you may not be aſhamed of making a queſtion of it. 2. And more, whether you may not be aſhamed of repreſenting the Author, you anſwer, as an enemy to the Kings Crown and Dignity; when the Treatiſe it ſelf beſpeaks him quite the contrary. 3. But moſt of all, whether you may not be aſhamed of dedicating a Book, better ſtored with railing then reaſon, to ſo rational a *Prince*.

In his Epiſtle to the Reader, he tells him, *How being moved "by a Friend, to conſider of* my Caſe of Conſcience, *&c. he was "willing to undeceive his ſeduced Countrimen; and ſo yeelded "to his requeſt, and found the Treatiſe ſmall, but dangerous. It aims at the ruin, both of Church and Kingdom. It per-"ſwades the King, that his oath at Coronation, is a Wicked oath, "and that he ought to break it; yea, he affirms it to be* vincu-"lum iniquitatis, *the bond of iniquity. No ſooner read I this,* (ſaith the Doctor) *but my heart was hot within me; and* Pſalm. 39. 4. "*while I was muſing on this, and the like Blaſphemies, the fire "kindled within me, and at the laſt, I ſpake with my tongue; "Why ſhould this* Shimei *blaſpheme my Lord the King?* &c.

Bloody words; but the Prudent Reader will remember, *Si ſatis ſit accuſari, quis erit innocens?* If accuſation be ſufficient proof of a crime, who ſhall be innocent? And I doubt not, but, by a fair Apology, to ſtop the mouth of this Slanderer; and prove him to play *Ziba*'s, while I clear my ſelf 2 Sam. 16. 4. 6, 7, 8. from acting *Shimei*'s part. For firſt, whereas he ſaith, that "*this Treatiſe aims at the ruine, both of the Church and King-dom.* This is moſt notoriouſly falſe; the ſcope of it being expreſſed in the very entrance of it, to be the preſervation of both, by Union and Accommodation. For want of which, how both have been hazzarded, is evident to every prudent obſerver of things. Again, for that he ſaith, *That I tell the*

King

" *King, that his Coronation-oath is a wicked oath*, yea, affirm it to be, *vinculum iniquitatis, the bond of iniquity*: This is, in part, falſe, in part uncharitable, and crafty wreſting words, to draw blood out of them; For there is no ſuch expreſſion in all my Book, as that the Kings oath at Coronation, is a *wicked oath*. And though I uſe the tearm, *vinculum iniquitatis*, yet by the expreſſions annexed, if he had ſet them down, there would have appeard no ſuch vileneſs in it, as he interprets it; the words are thus; [*The bond of the Kings oath, may be taken off two wayes, either by clearing the unlawfulneſs of it, that it was* vinculum iniquitatis, *and ſo void the firſtday*, &c.] Now here the Reader may obſerve, that *vinculum iniquitatis*, was uſed by me, onely to note the unlawfulneſs of the oath in that particular; and its an uſual phraſe, to note the unlawfulneſs of the matter in any oath; yet I did not Engliſh it, becauſe it might ſeem harſher in our Language. Beſides, I did not aſſert, that the Kings oath was unlawful in that point, unleſs it did engage him to maintain Epiſcopacy, as then it ſtood, which the King hath declared it did not, in that he hath offered their regulation by Presbyters. How falſe then is the *Doctor* in this alſo, in poſitively affirming, that I make the kings oath, *vinculum iniquitatis*? When I do it, onely upon a ſuppoſition, which the king denies; yea, and which I did imagine the king might deny; and ſo declined that way of invalidating the bond of the kings oath, as appears plainly in my Treatiſe. But whether that argument that I brought, did prove it unlawful, to ſwear to maintain the Biſhops in the power they then executed, will appear, when I come to diſcover the ſillyneſs of the *Doctors* Anſwer. And if the oath be proved in that ſence unlawful, then I hope tits no offence, but neceſſary in diſpute, ſo to call it; unleſs we be to flatter Superiors in what ever they do; and ſo not honour, but Idolize them, and lay ſnares for their feet.

But *with muſing on theſe, and other blaſphemies, fire was kindled in the* Doctor. What were theſe other *blaſphemies*? Thoſe he names not, nor are we ever like to know. But that the *fire was kindled*, is evident by the fruits of it; but ſuch a fire, that I doubt not, but that the Reader will judge, that he

might for it, more pertinently have cited *James* 3. 6. then *Psalm.* 39. 4.

After, to present me more odious, he cites a place out of Doctor *Burgess's fire of the Sanctuary, touching imprecations, and Seditious raylings against the Rulers of the people, and rude, bitter, unseemly speeches uttered against them.* Also out of Master *Wards* Sermon before the Commons, about *suffering vile men to blaspheme, and spit in the face of authority.* And affirms, *all this* Master *Geree hath done undeservedly*. Hath he used imprecations, or bitter railings against the Prince? Hath he used rude, bitter, unseemly speeches against him? Hath he blasphemed, or spit in the face of Authority? Convince all these, or any of these; and you shall finde him ready to repent, and ask God, and his Prince forgiveness. But if he hath not done all, no, nor any of these, then is Doctor *Boughen* a malicious Slanderer; and whose agent he is, in these accusations, he may easily see, if he be pleased to view, *Joh.* 8. 44. and *Revel.* 12. 10. But hath not Doctor *Boughen* in truth done that to the Parliament, which he falsely accuseth me to have done against the Prince? And is not the Parliament an Assembly of Gods, *Psalm.* 82. 1? And neerest in honour and Authority to the king? Nay, hath he not done worse to the king, then any thing that he laies to my charge? For is not perjurie worse, then through incogitancie to swear to some thing that seems good, but is not lawful? (which is all that can be objected to me to have said in reference to the King.) And doth not Doctor *Boughen* (while he saith, to abolish Episcopacie, is no more against the kings oath, then to take away their Votes in the House of Peers, *pag.* 87. and that he cannot consent to abolish Episcopacy without perjurie, *pag.* 123. charge the king with perjurie, in consenting to a Bill, for taking away the Bishops privileg, of Sitting and Voting in the House of Peers? Then let him consider, who is neerer *Simon Magus*, and who hath more need to pray forgiveness in this particular. As touching *Simon Magus*; I am sure I never profer'd money for any Ecclesiastical Gifts, nor Livings, and so am free from *Simony*. And to clear me from being a Magician,

gician, I Printed a Book againſt judicial *Aſtrologie* at the ſame time with the Treatiſe, which the Doctor would Anſwer; which hath nettl'd *Lily*, and *Booker*, (no great friends to the king) neer as much, as my *Caſe Reſolved*, did Doctor *Boughen*.

He cloſeth with two things. Firſt, *He that anſwers a "Book, is bound to confute all, but what he approves.* This I deny, unleſs he mean all that is pertinent and weightie: For impertinent triflings and railings (of which the Doctors Book hath too much) deſerve no anſwer, nor the waſte of Paper. The other is, *The guides he wiſheth the Reader to "be led by in judging*, viz. *Reaſon, Scriptures and Authority*. And therein, I fully cloſe with him, ſo far as Autority, the third, is guided by the two former, Scriptures and Reaſon: And ſo far onely it deſerves reſpect. And thus far for his Epiſtles.

Reader obſerve, thae in this Treatiſe, *D. B.* ſtands for Doctor *Boughen*, And *D. D.* for Doctor in Divinity.

THE

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August. 21. 1648.

CHAP.

Chap. I.

Containing Animadversions *on* Doctor Boughens *first Chapter, wherein he playes with the Introductions to the diſpute: and herein is diſcovered his ſubtilty in the whole, and ridiculous trifling in this part of the Book.*

We have heard your malicious charges againſt the Author of the little Treatiſe, which you undertake to anſwer. Now I muſt minde the Reader, of a Serpentine ſubtilty, that you uſe, to deceive him into a belief of your foul ſlanders, if he be not cautelous; which is, not to ſet down the treatiſe entire, nor to take it in order as it lyes, leſt the view of it, if it had been entirely ſet down, ſhould clearly have cryed falſe on your ſlanders; but here and there pack ſome of it in your margent, in what method you pleaſe. I ſhall therefore take this courſe, to ſet down the firſt Treatiſe by parts entire, that the Reader may the better judg, whether is true, my *Apology*, or your *Calumny*; and when I have ſet down any entire part of the caſe reſolved, I ſhall indeavour to cleer what you have objected againſt it, in any part of your prolix *Sieve*. A caſe Reſolved.

First therefore, the Introduction into the diſpute, runs thus in my printed Treatiſe.

Caſe Reſolved.

WHether the King, (conſidering his oath at Coronation to protect the clergy, and their priviledges) *can ſalvâ conſcientiâ* conſent to the abrogation of Epiſcopacy? *Aff.*

When I conſider, firſt, that there is no hope of the Kings or kingdomes ſafety, without an union between our King and Parliament. Secondly, that ſuch an union is *tantùm non impoſſibile*, unleſs the King condeſcend in point of epiſcopacy: Thirdly; for the King to condeſcend *renitente conſcientiâ*, though it might gratifie us, it would be ſinful in him; and ſo he ſhould forfeit inward, to procure outward peace; and be repreſented to himſelf, in the glaſs of conſcience: to adventure the heavenly, to retain an earthly crown. Fourthly, the oath taken at the Kings Coronation hath been preſt by ſome learned pens, with that probability, that may ſtumble a right intelligent Reader; neither have they, that I know, received any ſatisfactory anſwer in print. Now I conceive, it may be a work worth ſome paines, to reſolve this caſe, and cleer thoſe objections, that, while they ſtand unanſwered, caſt an ill reflection, both upon the King, in condeſcending to abrogate Epiſcopacy, and the Parliament, in preſſing him to it.

This is the introduction; wherein the Reader may ſee the ſcope of the Book, to be ſafety, and union of the King and Parliament; and not the ruine of the King, and Kingdome, as *Dr. Boughen* unjuſtly ſuggeſted in his Epiſtle to the Reader. Again, the grounds of undertaking the reſolution, are ſo weighty, and the candor towards Antagoniſts, in giving them due teſtimony, ſo cleer, that one would think it a fitter object for envy, then carping; but Dr. Boughen can finde a knot in a bulruſh; and therefore, becauſe in the title it is ſaid, that in the "*Book it is cleared, that the King may Without im-*"*peachment to his Coronation-oath abrogate Epiſcopacy, the*

"*Dr.*

" *Dr. ſaith, I full magiſterially determine before the caſe* Doctor Bougben
" *be ſo much as propoſed. Is this the faſhion, firſt to reſolve,* pag. 1.
" *and then to propoſe the caſe? This may be the courſe of* chap. 1. par. 1.
" *Hereticks not of Catholiques. But you are reſolved to main-*
" *tain, that a Chriſtian may ſwear, and forſwear, without*
" *the leaſt prejudice to his ſoul.* Thus the Dr. wherein he hath given a *ſpecimen* in the porch, what ſtuffe we are like to meet with in the building; and gives me juſt cauſe to bewail my unhappineſs, that having at firſt to deal with learned, and rational men, am now fallen into the hands of a paſſionate trifler: for doth not every intelligent man know, that though titles of Books be firſt ſet, yet they are laſt made, and uſually laſt printed, and contain in them the Summe of the Book? wherein, I doubt not, he will finde, not a magiſterial, but ſo rational a deciſion, that he will, in anſwering it, *herere in luto*, before I have done with him: For the accuſation wherewith he cloſeth his paragraph, being groundleſs rayling, I know where it will reflect ſhame, with the impartial Reader, and therefore it needs no other anſwer, but a peremptory denyal; nothing being more abhorrent from my ſoul, or the ſcope of this Treatiſe, then either to maintain ſwearing, or forſwearing. " But parag. 2. *He affirmes my practiſe is accordingly, becauſe thoſe of my perſwaſion have taken up armes againſt their Soveraign, and hold the Parliament ſubordinate to no power under heaven.* But here, his aſſertions are not onely impertinent to the caſe, but known to be falſe, by thoſe that know me; but then he comes in with a ſecond ſcornful expreſſion," *that I have taken* " *the oath of a canonical obedience; and yet indeavour the* " *abrogation of Epiſcopacy.* But how knows he, that I have taken the oath of canonical obedience? ſure I am, having never had inſtitution, nor induction, it was never profer'd me: but becauſe he (it ſeems) hath been ſo ready to ſwear, all muſt be in that bond: but what if I had taken the oath? I know no engagement to inhibit me to ſeek the abrogation of Epiſcopacy, from the oath, ſith I was never forbidden by the Dioceſan, to ſeek it; nay I can aſſure him, that Dr. *Smith*, who impoſed hands on me, and in whoſe dioces, while he Biſhop of Glouceſter.

he liv'd, I exerciſed my Miniſtry, was of *Ieromes* mind, that a Biſhop was an humane creature, as he expreſt himſelf in conference to a friend of mine, and ſo not unalterable. For his 3 Parag. "*Touching Smectimnuus making a Biſhop and* "*an Elder all one*, [a] *and thence his wonder, how they indure* "*my propoſition*, being he knows that Author ſpeaks of *Biſhop* and *Presbyter* in a Scripture-ſenſe (which anon will cut his combe;) and I ſpeak of a *Dioceſan Biſhop*, as now he ſtands; as he confeſſeth *Parag.* 4. That his quirk about *Smectimnuus*, and the Maſters of the Aſſembly, is ridiculous trifling, fitter for a boy diſputing in *Parvis*, to lengthen out an argument, then for a D.D. writing a book, in a caſe of moment.

But now to the motives, which "*he ſaith I produce for the* "*abrogation of Epiſcopacy*, he ſhould have ſaid for writing this caſe about it. For the firſt, *no hope of the Kings and king-* "*doms ſafety, without union between the King and our Parli-* "*ament*, he doth not deny it, but "*yet he divides them ſe-* *ditiouſly: Our King, and your Parliament.* I acknowledg him as my King, pray and act for him in my ſphear, as my Soveraign: the King hath written to them as his Parliament, yet the Dr. divides them, though he cannot deny, no ſafety without union: "*For his petitions made in* Scriptures phraſe, they are from him, as his heart is which I leave to God; and in a good ſenſe ſay, Amen. For the Second ground, *there is no probable means of union, Without the Kings condeſcention in point of Epiſcopacy.* This, parag. 6. and 7. he denies not, *but adds ſome things out of his own diſtempered minde*, viz. *unleſs he lay down his lands* &c. Which he cannot prove, though I am truly ſorry, that he hath any colour to ſet them off as credible to any. For the third, *If the King ſhould do it* renitente conſcientia, *it would be ſinful*, &c. To this "*Parag.* 8. *he* "*ſaith, that I perceive, and in a manner confeſs, that this he muſt* "*do; for you ſay, it would be ſinful to himſelf. Thus you per-* "*ſwade our Soveraign into ſin*, &c. Was there ever a more falſe, or irrational paſſage dropt from a D.D. pen? do I ſay it abſolutely, when I only ſay, if he ſhould condeſcend, *renitente conſcientia?* or do I perſwade to ſin, when I ſhew ſuch inconveniences of ſin, as cannot be ballanc'd? But by way

way of amplification, we have another piece of Divinity, worthy such a D. D. "*Every reluctance of conscience makes* "*not a grant sinfull, but when my conscience checks me on just* "*grounds.* Is this catholike doctrine? I am sure, it is not orthodox; for it is point-blank to Saint Paul, speaking of those that act against conscience, for want of light in indifferent things; and so not on just grounds. *Rom.* 14.17. compared with verse. 25. *The kingdome of God is not in meat, and drink; But he that doubteth, is damned if he eateth, because he eateth it not of faith; for whatsoever is not of faith, is sin.* For the last, *that the Coronation oath is prest by learned pens*, &c. "*he first takes notice of my confession, Parag.* 9. Wherein he might observe my candor to my Antagonists, and therein read my intentions, that, not out of distaste to persons, but out of love to peace, and with a quiet and well affected heart, to those I oppose, I wrote the resolution of this case; but the Doctors blood-shot eye, can see none of this. He hath not so much ingenuity as the Heathen, *virtus in hoste.* No, he was resolved to carry on his Book with railings and scoffs; and I am resolved, neither to envy, nor to imitate him; being well assured that such dealing will prejudice both the work and Author, with any pious and prudent Reader. Next he trifles about an expression "*touch-*"*ing the Kings condescention, (I beseech you, do you dream?* "*who told you, that his Majesty had condescended to this impi-*"*ous and anti-christian demand?* saith he.) Whereas he knows, the context of my words evidence them to be spoken *hypothetically, not catogorically.* But we must give him leave to catch at shows, that wants real exceptions. For his other expressions, "*That desire of abrogation of Episcopacy, is impious and anti-christian*"; This will appear but froth, unless he can make his Diocesan Lord Bishop an Ordinance of God, which will now come to tryal.

CHAP.

CHAP. II.

Wherein it is cleared, that the Covenant is not to aboliſh Epiſcopacy, root and branch, nor is Epiſcopacy of Chriſts inſtitution, in anſwer to Dr. B. Second Chapter.

Caſe of Conſcience Reſolved

NOw the bond of the Kings oath, may be taken off two wayes; either by clearing the unlawfulneſs of it, that it was *vinculum iniquitatis*, and ſo void the firſt day; For *qui jurat in iniquum obligatur in contrarium.* And if Prelacy in the Church be an uſurpation contrary to Chriſts inſtitution, then, to maintain it, is ſin; and all bonds to ſin, are fruſtrate. And truly, as Prelacy ſtood with us in England, ingroſſing all ruledom in the Church, into the hands of a few L. Biſhops, I think, it may be cleared to be an uſurpation, by this one argument.

That power that diſpoyls any of Chriſts Officers of any privilege or duty indulged or injoyned them by the word of God; that power is an uſurpation againſt the word of God. But this did Prelacy, as it ſtood in England: therefore Engliſh Prelacy, was an uſurpation againſt the word of God.

The Major is cleer of it ſelf. The Minor is thus proved: Presbyters are by Chriſts warrant, in Scripture, indued with power to rule in their own congregations, as well as preach; See 1 *Tim.*3.5.&.5,17, *Heb.*13.17. 1 *Theſſ.*5.12. Now as Prelacy ſtood in England, the Presbyters were not onely excluded from all ſociety of rule; but, which was more prejudicial to the dignity and liberty of the miniſtery, were ſubjected to a lay-Chancellor; and was not here uſurpation againſt Gods direction?

Now what ſaith Dr. *Boughen? you ſay true* (ſaith he) "*that the oath which is Vinculum iniquitatis is void the firſt* "*day, &c. And hitherto your argument is good; and in it, he will joyn iſſue, &c.* Cap. 2. Parag. 1. See what a work this

this paſſage hath on the Doctor, taken together, and conſidered when the blood was down; now all goes current; yet this is the place, for which he ſpit ſo much poyſon of aſpes in his Epiſtle to the Reader. I hope, the Reader will obſerve; and by appealing from the Doctor in paſſion, to the Doctor out of paſſion, ſee how injuriouſly he hath traduced me, for one that blaſphemes and ſpits in the face of authority. Well now, upon this *the Doctor will joyn "iſſue, and will readily acknowledg, that if Prelacy in the "Church be an uſurpation againſt Chriſts inſtitution, then to "maintain it, is to ſin, and all bonds to ſin are fruſtrate; but yet "Parag 2. He adds, he hopes I uſe no tricks, but by Prelacy mean Epiſcopacy properly ſo called.* I doctor, I do uſe no tricks, a good cauſe needs them not; but I doubt, you will be found to uſe tricks preſently, and that poor ones; that is, to change the ſtate of the queſtion: For when I implead Prelacy as unlawful, I implead it not abſolutely; but as it then ſtood in England. But the Doctor proceeds, and thinks that my *medium* is an arrow for his bow; and makes a triple aſſay to hit me with it, but is unlucky in all, as will preſently appear; firſt thus, "*If Supremacy in Parliament "be an uſurpation contrary to Chriſts inſtitution, then to "maintain it, is to ſin; But ſupremacy, &c. ergo it is "ſin.*

"*The major you prove, by* 1 Pet. 2. 13, 14. *Submit your "ſelves to every ordinance of man, whether it be unto the "King as ſupream, or unto governours, as thoſe that are "ſent by him.* I anſwer, the Apoſtle gives no other ſupremacy to the King here, then I give him Pag. 9 of my caſe; that is, to be the Supream Magiſtrate, from whom all power of execution is legally derived; and this is competible with that ſupremacy which I give the Parliament. Oh, but "*ſaith "the Doctor, every rational man cannot but underſtand, that "there cannot be two ſupreams in one Kingdome.*" But Maſter Doctor, Rational men will ſee a difference between a *Supremacy*, and *the Supremacy*; that is, Supremacy *abſolute*, and in *a kind*. There be more Supremacies *ſecundùm quid*, in ſome reſpect, though not more in one kingdome *abſolutely*; and this

this I shall make you confess to be my meaning, in asserting more then one supremacy in a kingdom, and to be a truth, or I shall make you deny, not Reason onely, but your own words, when I come to answer your last Chapter.

His second Argument is against Ordination by Presbytery, but in that he begs the question, and therefore he refers us for the proof, (that Ordination by Presbyters is against Christs institution) to another place, where we shall meet with it.

Thirdly, *He argues, If Episcopacy in the Church be no "usurpation, but Christs institution; then to endeavour the extirpation of it, is sin. But Episcopacy is Christs institution,* ergo. This he doth but propose here, and endeavours to prove hereafter, where his proofs shall be examined.

He proceeds, parag. 3. "*That you, your Assembly and Parliament, have made and taken an Oath to extirpate Episcopacy, is too notorious to be denyed.*

Sir, your are the confidentest man, not onely in uncertainties, but falsities, that I have heard. It's neither true, that I made the Covenant; nor notorious, that I have taken it: neither is it true, that the Covenant is to extirpate Episcopacy; but onely, (according to my argument,) Prelacy, as it then stood, that is, by Arch-Bishops, Arch-Deacons, and the rest, in your &c. Oath, as is plain by the expression of the second Article. And therefore you must prove, not onely (as you say) Episcopacy, but Episcopacy as it then stood, not to be contrary to the institution of Christ, before you can prove the Covenant in that clause to be a bond of iniquity; or exempt the Kings oath from unlawfulness in that clause, if it binde to maintain Episcopacy as it then stood.

But say you, "*The Order of Bishops is Christs institution.* "*And yet ye have sworn to up with it, root and branch.*

The former you endeavour to prove; and the latter you take for granted, which is very false, for there is no such expression, nor hint, in the Covenant, as root and branch.

But Christ you say, "*was the root of Episcopacy, who is* "*called the Bishop of our souls, from him it takes its rise.* You are good at affirming, but where's your proof? *Why,*

"*its*

" *its evident in the Apoſtles, ſtrictly ſo called, who had their orders immediately from Chriſt*, parag. 4.

A goodly argument, as though an *Apoſtle*, and one of your *Lord Biſhops* were birds of a feather: Whereas *toto cælo differunt*; An *Apoſtle* was an Officer extraordinary, immediately called and inſpired of God, and his office to indure for a time, and your *Biſhop* is an ordinary officer, called by man, who you would have to endure for ever. But " *to* " *them*, ſay you, *he gave power to ordain Apoſtles*. Falſe and Atheological. An Apoſtle cannot be created but by God, and had his knowledg by inſpiration from God; this is confeſt by Divines on all ſides. See *Bilſon perp. Govern. chap. 9. pag.* 106.

" *But you will prove they had power to ordain Apoſtles*, Mat. 10.8. δωρεὰν ἐλάβετε, δωρεὰν δότε, *which the Greeks* " *ſtand thus*; *a gift ye have received, a gift give.*

But what Greeks? Will they underſtand things againſt the letter of their natural language? The Engliſh of the words to every ſmatterer in greek, is, *freely you have received, freely give*; and the meaning is plainly, that they ſhould not make merchandize of their gift of miracles; For the whole verſe runs thus, *Heal the ſick, cleanſe the lepers, raiſe the dead, caſt out devils*; *Freely you have received, freely give.* But what is this to power to create Apoſtles? which ſpeaks onely of their diſpenſing their gift *gratis*. And ſo the Authors in your margent, ſuch as I can meet with, for the moſt part, take it; *ut ſit miniſtratio gratuita muneris gratuiti, that there might be a free adminiſtering of a free gift*, Hil. in Matth. Can. 10.

Ergo ne quid in miniſterio noſtro venale ſit, admonemur; Therefore we are admoniſht, that nothing in our miniſtry be ſet to ſale. *Ego miniſter & Dominus abſq; pretio hoc vobis tribui, & vos ſine pretio date, ne Evangelij gratia corrumpatur*, Hieron. in Mat. 10.8.

Now what are theſe to your purpoſe? Only *Gennadius* from this *proves ordination ſhould be without price*; but this muſt be but by way of alluſion. For do you, Mr Doctor, think that the Apoſtles had power to create Apoſtles, given them

here, whilſt Chriſt was alive? I hope your ſecond thoughts will be wiſer. That Chriſt renewed the Commiſſion of the Apoſtles, *Joh.* 20.21. *As my father ſent me, ſo ſend I you*, is granted: but that "*they* (as you affirm) *upon the ſtrength* "*of this commiſſion ordained ſome other to be Apoſtles, con-* "*ferring on them the ſame honor and power which they had re-* "*ceived from Chriſt.* Is an aſſertion, I know not whether fuller of boldneſs, or ignorance; yea, in part a very Bull. For firſt one part, and one of the principleſt parts of their honour, was, to be called immediatly by Chriſt; which they could not confer on others, unleſs you can make Chriſt and the Apoſtles individually one, which is impoſſible. Beſides, that there were many other honours peculiar to the Apoſtles themſelves, not communicable to their ſucceſſors: You may read in *Bilſons perp. Govern. chap.* 9. *pag.* 106.

But you ſay, "*this is evident in* S. James *Biſhop of* Jeruſa- "lem, Epaphroditus *Biſhop of* Philippi, *and in* Apollos *Biſhop of* Corinth. But for S. *James*, that he was an Apoſtle Scriptures witneſs indeed, Gal. 1. 19. but that he was ordained of the Apoſtles, in that Scriptures are ſilent; nor hath *Jerome* any ſuch words, but that he was called an Apoſtle; *illud in cauſa eſt, omnes qui dominum viderunt, & eum poſtea prædicaſſent, fuiſſe Apoſtolos nominatos.* He was therefore called an Apoſtle, *becauſe all that had ſeen the Lord, and afterwards preach't him, were called Apoſtles*, Jerom. in *Gal.* 1. 19. But to make a man truly and properly and Apoſtle, was required ſomewhat more, *ſcilicet*, immediate inſpiration and miſſion by Chriſt, as may be gathered from S. *Pauls* proving his Apoſtleſhip from theſe, *Gal.* 1. 11, 12, 15, 16, 17. And *James* was an Apoſtle truly, and properly, yea, a chief Apoſtle, *Gal.* 2. 2. 9. And ſo he is mentioned in the Scripture, as an Apoſtle in Jeruſalem, not a Biſhop of Jeruſalem. See *Act.* 15. 2, 13, 23. Here *James* is contained under the name Apoſtle, with the reſt, without any hint of precedency there, as Biſhop. And therefore, whereas he is called Biſhop of *Jeruſalem*, ſometimes by the ancients; that is to be taken but in an *alluſive*, not a *proper* ſenſe, becauſe he exerciſed his Apoſtolical function there, while others exerciſed theirs

theirs elſe where; and ſome of the Apoſtolical power was emulated in the Fathers times by Biſhops. But a Biſhop there properly he was not, for that were to degrade him: an Apoſtle being an office extraordinary, and ſo higher then the ordinary office of Biſhop. And ſuch degradation is not onely injurious. But if the reſolution of the *Chalcedon* Counſel be true, cited by *Bilſon, pag.* 280. *To bring back a Biſhop to the degree of a Presbyter, is ſacriledg*; Then certain, to bring down an Apoſtle to the degree of any ordinary Officer (as a Biſhop is) cannot want guilt. "*And for Apollos, if he were Biſhop of Corinth*: I pray you, why did not Saint *Paul* write to him, when he blames them for not excommunicating the inceſtuous perſon? and blame him for that neglect of diſcipline, and enjoyn him to ſee it done, and not the Church? Or why doth he ſay, that the cenſure was inflicted by many, 2 *Cor.* 2.6? if *Apollos* were their Biſhop, who alone had power of excommunication; If he be contained *under the title of Apoſtle*, 1 *Cor.* 4.9. (which *Calvin* approves not;) yet is he called Apoſtle, in a large, not ſtrict ſenſe, as contradiſtinct to other Church-officers, *Epheſ.* 4.12. For *Epaphroditus*, indeed he is called, in the Epiſtle to the *Philippians*, *Your Apoſtle*; but that is moſt generally taken, as *Walo Meſſalinus* confeſſeth, by Greek and moderne Interpreters; to hint, not the name of a Church-officer, but a meſſenger from the Church to Saint *Paul*, as our laſt tranſlation takes it; and the words following, imply part of his meſſage; *he that miniſtred to my wants*. And though *Walo Meſſalinus* diſſents, yet he confeſſeth his expoſition not to agree ſo well with propriety of ſpeech. But theſe (you ſay) are confeſſed to be *Apoſtoli ab ipſis Apoſtolis ordinati*. Firſt, this is falſe; for neither *Calvin*, nor *Meſſalinus*, ſpeak of their Ordination. And the very phraſe, an Apoſtle ordained of Apoſtles, ſhews, that the title, Apoſtle, is taken improperly.

But Parag. 5. you ſay, "*Apoſtles they were at that time* "*called, but afterwards the name Biſhop was ſetled on them. For this you cite Theodoret. The ſame perſons were ſome-* "*times called both Presbyters and Biſhops; but thoſe who are*

now named Biſhops, were then called Apoſtles; but in proceſs of " *time, the title of an Apoſtle was reſerved to thoſe that* " *were* ἀληθῶς ἀπόστολοι, *Apoſtles properly and truly ſo called.* " *And the name of Biſhop came appropriated to thoſe who were lately called Apoſtles.*

For anſwer to this, Firſt, I obſerve you have given us a clear confeſſion out of *Theodoret*, that Biſhops and Presbyters were all one, divers names of the ſame office.

Secondly, thoſe that *Theodoret* affirms, that being in his time called Biſhops, were formerly called Apoſtles, were not ἀληθῶς ἀπόστολοι, Apoſtles truly, but onely called ſo, becauſe they had preheminence over others in his times, as the Apoſtles had over others in the firſt time of the Goſpel.

Thirdly, he gives us no proof, that thoſe that are now called Biſhops, were formerly called Apoſtles: and his conjecture is not infallible; Nay, is it not apparently falſe, that the name of Biſhop came appropriated to thoſe that were lately called Apoſtles, (but were not ſo ἀληθῶς?) for was not the name of Biſhop continued common to *Iames*, *Peter*, and others that were ἀληθῶς ἀπόστολοι, Apoſtles truly ſo called? Continued, I ſay, by the Fathers, calling them Biſhops, alluſively. But though the name of Biſhop was given to Apoſtles, by the Fathers: It cannot be ſhewen, where thoſe that are now called Biſhops, were called Apoſtles, (as Apoſtle ſignifieth a Goſpel officer) by the Scripture. If they were, let the *Doctor* produce the place where in Scripture any ordinary officer was ſtiled an Apoſtle; which if he cannot do, *Theodorets* aſſertion in one part, contrary to the plain expreſſions of the Fathers: and in the other, without ground of Scripture, cannot have much force on any unprejudiced Reader.

The *Doctors* inference is obſervable, " *Hence is it*, ſaith " he, *that* Timothy *and* Titus, *are called Biſhops and Apoſtles.* " *Biſhops in the poſt-ſcripts of the Epiſtles which were written* " *to them by* S. Paul, *but Apoſtles by* Ignatius, Theodoret, " *and many others.* Whence plainly it appears, that the poſt-ſcripts of the Epiſtles, were not Saint *Pauls*, but ſome other, later then *Ignatius* and *Theodoret*: And ſo have no force

force to prove *Timothy* and *Titus* Biſhops.

Parag. 6. You add, *Biſhops then they were called*, &c. That is, They were ſo called by men, that ſpake of officers in the Scriptures, according to the ſtile of their own times, but in Scripture-ſence, they were a degree above Biſhops, Apoſtles, or Evangeliſts; and in that ſence ſpeaks *Walo Meſſalinus*, whoſe name you abuſe.

Parag. 7. You argue, "*They that have the ſame name* "*and office with the true Apoſtles, are of the ſame order* "*with the true Apoſtles. But Biſhop* Timothy, *and Biſhop* "Titus, *and Biſhop* Epaphroditus, *have the ſame name and* "*office with the true Apoſtles.*

This argument you ſeem to glory in, but with how little reaſon, the Reader ſhall ſee. For whereas you ſay, "*Biſhop* "Timothy, *and Biſhop* Titus, *and Biſhop* Epaphroditus, *had the ſame name and office with the Apoſtles*: This is manifeſtly falſe. Firſt, for the name, neither have *Timothy*, nor *Titus*, the name of Biſhop, or Apoſtle, given them by Scripture; and for other authors, as *Ignatius* and *Theodoret*, that call them Apoſtles; you muſt remember *Theodorets* diſtinction, of ſome that were ἀληθῶς ἀπόστολοι, and others that were called ſo only alluſively. The true and proper Apoſtles, were the twelve, and Saint *Paul*, and ſuch like, that had extraordinary miſſion and inſpiration.

Now in this proper ſence, *Timothy* and *Titus* were not called Apoſtles, but by way of alluſion: and to have the ſame name, and not in the ſame ſence, argues nothing. For your proof from *Salmatius*, for *Epaphroditus* being called Apoſtle, (beſides, that in giving ſuch a ſence of *Phil.* 2. 25. he differs from many others, whoſe opinion is more probable) he onely calls him an Apoſtle, alluſively, not properly: and as you fail in the proof of the ſame name, ſo fail you more, in proving they had the ſame office; for this you prove, onely from "*one part of Apoſtolical power, Ordination,* "*and Juriſdiction*: Which they had from the Apoſtle *Paul*, in particular places; whereas the Apoſtolical office had power immediately from Chriſt, for ſuch juriſdiction, all the world over, *Matth.* 28. 19. And whereas, the Apoſtle, makes

makes Apoſtles and Evangeliſts diſtinct offices, *Epheſ.*4. 11. and bids *Timothy* do the work of an Evangeliſt, 2 *Tim.* 4.5. The Apoſtle ſhews plainly, that *Timothy* was in that rank. And thence it's clear, that *Timothy* and *Titus*, had not the ſame office with Apoſtles, but were in an inferiour order of Evangeliſts. So your argument falls to the ground.

For your cloſe, "*that Biſhops, and onely Biſhops, ſucceed the Apoſtles in ordination and juriſdiction*: It's true of Scripture-Biſhops; but for your Biſhops, we ſhall not believe it, till you better prove it.

Parag. 8. You proceed, "*Since then Apoſtleſhip and Epiſ-*"*copacy, are one and the ſame office; He that is the root and Author of the one, is the root and Author of the other.*

But I have, in part, ſhewed already, (and ſhall more fully hereafter) that Apoſtleſhip and Epiſcopacy are divers offices. Epiſcopacy, if it hath any place in Saint *Pauls* Catalogue, *Epheſ.*4. 11. being under Paſtors, which is two degrees below an Apoſtle: but you further infer, "*in cove-*"*nanting to take away Epiſcopacy root and branch, you have* "*done no leſs then covenanted to take away Jeſus Chriſt.*

Anſw. Were Chriſt the ordainer of Epiſcopacy, as he is not, your inference is but a childiſh miſtake; for neither doth the Covenant ſpeak of root or branch, nor, if it did, would it follow, that Chriſt ſhould be rooted up; for there is a root, properly of Propagation, and a root metaphorical of Inſtitution, which is by appointment the original of a thing. Chriſt, if all were true that you ſay, is but a metaphoricall root, a root by Inſtitution, whoſe eradication cannot be inferr'd, if Biſhops, root and branch, be pluckt up. If a man undertake to take away all the trees in an Orchard, root and branch, will it follow, he muſt root up the Maſter that planted it too? Nothing leſs; ſo, nor in this caſe.

After this you fall "*a raving, ſhooting arrows, not caring* "*where you hit, telling of Parſons and Vicars, ſequeſtred by my inſtigation.* Which is a raſh, if not a wilful ſlander. And now I hope its clear, you have done little to diſcharge the Kings oath of ſin, or to prove the Covenant a bond of iniquitie.

But

But Parag. 9. You think you put a ſhrewd quary. „ *if root* " *and branch muſt up, how comes it, that ſome branches may be* " *preſerved, as Presbyters ordained by Biſhops*, &c.

Still you run on in your miſtake, whereas the Covenant hath no ſuch terms as root and branch. What? a *Doctor* preſent ſuch plain miſtakes to a *Prince*? Nor, if there were ſuch an expreſſion, were there any force in your objection; for do you not know, that many of our Divines diſtinguiſh between the Church of *Rome* and the Papacy, which they compare to a wen on a body. So may we, between the Miniſtery of the Church of *England*, and your Prelacie, which is but a high-ſwoln wen. Now I hope that a wen may be cut out, core and all, and yet the body be left ſound, yea, more ſound: ſo for this.

CHAP. III.

Wherein it is cleared, that Prelacy, as it ſtood in England, *Was an uſurpation on the office of Presbyters, in anſwer to Doctor* Boughens *third Chapter.*

IN your third Chapter, *parag.* 1. " *You repreſent me ſay-* " *ing that the Kings oath to maintain Epiſcopacy, is ſin.* Where do I ſay ſo? I ſay, if the *K*ings oath be to maintain Epiſcopacy, as it ſtood in *England*, then it is ſin, and if you leave out this limitation, (as it ſtood,) you trifle and change the ſtate of the queſtion; and I muſt minde you of a true rule in diſpute, *Qui verba ſupprimit quæſtionis aut imperitus eſt, aut tergiverſatur, qui calumniæ magis ſtudeat quàm doctrinæ: He that ſuppreſſes words of the queſtion, is either unskilful, or wrangles, and indeavours, rather to calumniate, then teach.* Which latter you plainly do; for hence you infer, " *that I condemn all the Kings and Queens of this* " *Land, that have taken this oath.* But firſt, you muſt prove, that they have taken the oath in this ſence, to maintain Epiſcopacy, as it then ſtood: which ſure our preſent Soveraign, hath

hath declared he did not, (and ſo we may judge of the reſt ;) for he hath offered, to reduce Epiſcopacie to that power which it had in ancient times, *to exerciſe no juriſdiction without its Presbytery*. Whereby the King doth manifeſt, either he is not by his oath, bound to maintain Epiſcopacie, as it then ſtood; or elſe, that notwithſtanding his oath, he may alter ſome of Epiſcopal juriſdiction, at the motion of his Houſes. Either of which will cut your combe, eſpecially the latter.

In his meſſage from the Ile of *Wight*, Nov. 17. 1647.

Secondly, you ſay, " *I condemn all thoſe Fathers and Coun-* " *ſels, that juſtifie the neceſſity of Biſhops*. Thirdly, and laſt of all, " *you ſay I condemn the whole Church of Chriſt, which* " *from her infancy hath been governed by Biſhops*.

Where you ſtill leave out my limitation, as it then ſtood, which added, your inferences will appear moſt falſe. Since it is apparent, that both Counſels and Fathers, and ancient Churches aſſerted, and were governed, not by Epiſcopacie without, but with the joynt help of Presbyters.

Hear what *Bilſon* ſaith, in his Epiſtle to the Reader. before his *perp. Govern. God forbid, I ſhould urge any other, but ſuch as were Paſtors over their Churches, and governours of the Presbyteries under them*. And again, *That Elders at firſt did govern the Church by common advice, is no doubt at all with us ; this is it which is doubted*. &c. *that thoſe Elders were Lay-men, pag.* 158, 159. But had our Biſhops as they then ſtood, any Presbyteries joyned with them? Presbyters they had; but had they any Presbyteries, wherein the Presbyters met for acts of government, that the Biſhop did govern? And therefore " *your interrogations about blaſphemy*, &c. are but the meer calumnies of a *tergiverſator*, altering the ſtate of the queſtion.

And, as ignorant and impertinent trifling is your ſecond " *parag. Wherein you talk of the abuſes of particular perſons*, " *as ſome Princes or Parliaments*. Whereas my argument runs not on the men, but the office it ſelf, as it then ſtood, excluding Presbyters from part in government, which was not the act of any extravagant Biſhop, but the ordinarie cuſtome of them all: ſo, not the men, but the office it ſelf,

was

was in an abuſive poſture, in excluding Presbyterie from participation in government; which is the thing to be proved.

Which thing, you confeſs, I endeavour to prove by Syllogiſm, which you ſet down, *parag.* 3.

That power which deſpoyls any of Chriſts officers, of any priviledg or duty indulged, or injoyned them by the word of God, that power is an uſurpation againſt the Word; But this Prelacy did, as it ſtood in England. ergo, *Engliſh Prelacy was an uſurpation againſt the Word of God.*

Parag. 4. You think, "*to retort this argument on the Parliament, to prove them, as well to be an uſurpation, becauſe* "*they have ſequeſtred and diſpoyled many of you Presbyters,* "*of preaching and ruling in their Congregations.*

But herein I muſt tell you, you bewray your own, not the weakneſs of my argument; for my argument runs not upon any particular offices, whether juſtly or unjuſtly deſpoiled. But of all the officers, as they are officers; of which Epiſcopacie was guiltie, excluding all Presbyters from partnerſhip in government. And had you had your wits about you, that can put the [dul man] upon others, this you might eaſily have ſeen, and that *any* in the Syllogiſm, notes not particulars in any office, but the kinds of officers preſcribed by Chriſt.

But *Parag.* 5. You would teach me to ſpeak, "*had you* "*ſaid* (ſay you) *that power, that wrongfully diſpoyls any of* "*Chriſts officers, and then you tell me, I have not learnt,* "*it ſeems, to diſtinguiſh, between juſtly and unjuſtly.*

But it ſeems, you, though a D. I. have not learnt to underſtand plain ſence: For in that ſence that my words ſhould be taken; can, I pray you, any kinde of officers be wholly diſpoiled of a privileledg, or abridged in a dutie left on record by Chriſt, juſtly? Sure then there muſt be ſome power, that can controul Chriſts inſtitution, without injuſtice or uſurpation.

You add as wiſe an amplification, "*that Gods word and* "*mine, are two; Gods word ſaith,* Non eſt poteſtas, niſi a "Deo, *there is no power, but of God,* Rom. 13. 1. "*But you* "*ſay,* (ſay you of me) *that there is a power which is an uſur-*

pation againſt the word of God.

It ſeems then, you think, that there is no uſurped power in the world, or Church, no not the Popes claim to both the ſwords. Sure, you are a learned interpreter of Scriptures, whereas its plain, the Apoſtle ſpeaks onely of all kinds of lawful civil powers, not denying, but ſome may uſurpe a power that belongs not to them, as the *Pope* doth; and its in queſtion, between you and me, whether Prelacie did, or no.

You add, "*I cannot diſtinguiſh between the office and the abuſe.* Will you then acknowledg, it was an abuſe in Epiſcopacie, to ingroſs all government? If you do, you grant the queſtion, if not, you trifle. Do you not know, Maſter *Doctor*, that theſe be two things, *an uſurp'd power, and an uſurpation in power.* If Epiſcopacie have no inſtitution from Chriſt, its an uſurp'd power: an office without inſtitution, that queſtion I wave. If there be inſtitution for Epiſcopacie, yet if Presbyterie ſhould govern with it, and be excluded, this is not an abuſe of perſons, but an incroachment of one office upon another. This I accuſe prelacie of, as it ſtood; one would think, this were plain enough to a vulgar capacitie; yet yon run on in your miſtake.

And Parag. 6. "*Mention divers examples of par-*
"*ticular officers, and abuſing their power in unjuſt cenſures,*
"*or uſing it in a juſt way.* Which is meer trifling, as I ſhall make it appear, by your laſt inſtance about Biſhops, depriving Miniſters. For I queſtion not now, the Biſhops, or you, for calling Truth Hereſie: nor for the abuſe of power, in ſuſpending, or depriving for unjuſt cauſes; but for doing it ſolely, without the counſel and conſent of a Presbyterie, wherein, I ſhall hereafter, clear to you, they uſurp more, then the practiſe, and counſels, of former Biſhops allowed them. This is the plain ſtate of the buſineſs: and its ridiculous, to undertake the anſwer of a Treatiſe, and miſtake the plain ſtate of the queſtion.

But *Parag.* 7. You come to the *Minor*, and thats trifling ſtill, on the ſame miſtake; but to ſeem to ſay ſomething, at laſt you ſay; "*It is as falſe aſpeech, to ſay, Prelacy diſpoiles*
"*any*

" *any, as to ſay, Judicatory wrongs any*; Where ſtill you bewray your ignorance, in comparing an act to an office; but may not one Court diſpoil another? Did not you, or ſome Prelates think, theſe Courts did diſpoyl them of their rights heretofore, that granted Prohibitions in point of tythes, &c. and ſo the Civil power incroach on the Eccleſiaſtique? Why elſe, were ſome Judges ſo frown'd on by ſome Prelates, for ſuch prohibitions?

Parag. 8. You come to my proof, which I ſet down. " *Presbyters are, by Chriſts warrant in Scripture, indued with* " *power to rule in their Congregations, as well as preach*; *you* " *adde in your own character*, to *as well, as much*: why, you know beſt, others may gueſs. For proof I bring four Scriptures; the firſt from 1 Tim. 3.5. *If any cannot rule his own houſe, how ſhall he take care for the Church of God?*" *Here is* " *care* (ſaith the Doctor) *to be taken for the Church, but no* " *rule given to the Presbyter in the Church, unleſs you will* " *allow as much power to rule in his Pariſh, as he hath in his* " *own houſe*: Is it ſo Doctor? is there none given, becauſe none is expreſt? Is there not rule in the Church implyed? Hear *Theophilact*, [a] *for the houſe is but as a little Church. If therefore he know not how to rule a little and eaſily circumſcribed and known Church, how ſhall he govern ſo many ſouls, whoſe mindes he cannot know?*

a ἐυδῆλον γὰρ ἐστι ὁ οἶκος, ὡμίκρα ἐκκλησία, εἰ τοίνυν τὸν μίκρον κυβερνᾷ, πῶς τὸν πολὺν ἐπιτρέπεται; καὶ ἐυδιαγνώστως ἐκ ἐυδιορίστου, πῶς τοσούτων ψυχῶν γνώμας καταυσεῖται ἀμάρτητος;

To the ſame purpoſe, *Chryſoſtome*, [b] *for the Church is a certain houſe*; *but if the Rector of the Church have aſſiſtants in government, ſo hath the husband the wife in his houſe.* (Now what the Rectors fellows in government are, whether lay-Elders, or no, let the Doctor inquire:) He concludes, *it is far more eaſie to govern an houſe, then the Church*; *therefore he that cannot govern an houſe*, &c. So you ſee, that place gives, by implication, government to a Presbyter: If you object what *Chryſoſtome* after hinteth, as though the things here ſpoken, were meant of one of your Biſhops; firſt, you your ſelf judge the contrary: next, it will do you no good; for he ſaith, the Apoſtle paſſeth from Biſhops to Deacons, not mentioning the order of Presbyters, becauſe between a Biſhop and a Presbyter, there's almoſt no difference; for the care of the

Theoph. in 1 Tim. 3. 4.

Again in ver. 8.

ἡ γὰρ φροντὶς τοῖς διδασκάλοις ἡ φροντὶς τῆς ἐκκλησίας ἐστὶ χειρισμένοις ἐστὶ, μᾶλλον τῆς γυναικὸς τὰ, ὑποβεβλημένης.

b ἡ γὰρ οἰκία ἐστὶν ἡ ἐκκλησία, ἀλλ' ἐὰν μέντοι ἐκκλησίας ἄρχῃ τὶς ἀρχὴ ἐν τῇ ἐκκλησίᾳ φρονεῖ, ἀλλ' ἔχει καιρὸν ἐπιτιμᾶν τὸν χειροτονήσαντα· ἀλλ' εἰ δὲ ἡ ἐκκλησίας ἄρχειν, &c.

Church is committed to them, to wit, Presbyters; and what he ſaid of Biſhops, belongs alſo to Presbyters, Biſhops being only in ordination above them: Thus *Chryſoſtome*, Presbyters then were not excluded from governing. So *Theophylact* gives the ſame reaſon, why Presbyters are not mentioned: *Quia qua de*, &c. *Becauſe what he ſpake of Biſhops, belongs to Presbyters, for to them the office of teaching and government of the Church is committed, being only inferior in regard of election*: And for what you object about Deacons, "*that We allow them no rule in the Church*; It's falſe, they have rule in their ſphear, that is, in diſpoſing the treaſury, though not perſons of the Church, they being not over perſons, (which the Presbyter is) but the Treaſurie.

The next proof is for the Doctor, happily miſprinted, 1 Tim. 5. 21. inſtead of verſe 17. which I believe the Doctor could not but ſuſpect; but he was loth to meddle with it: yet if he mean to replie, I muſt now minde him of it, 1 Tim. 5. 17. It is thus written, Doctor; *Let the Elders that rule well be counted worthy of double honour, eſpecially they that labour in the word and doctrine.* Theſe, you will grant, were Presbyter-Biſhops; for to allow any other at *Epheſus*, would marr the market; and ſee, here is ruling diſtinct from teaching, aſcribed to Presbyterie.

Parag. 10. You come to the third Scripture, Heb. 13. 17. *Obey them that have the rule over you, and ſubmit your ſelves, for they watch for your ſouls*, &c. Here rule is given to Presbyters: Now here the Doctor is pitifully puzled, and came off poorly. He asks, "*who are theſe rulers here mentioned*; "*are they Presbyters only? Again, that he ſpeaks of Presby-*"*ters, I deny not, but that he ſpeaks of Presbyters onely, that I* "*deny.* Good Doctor, am I to prove that Presbyters only are rulers, or that Biſhops are not the only rulers, as they were with us? If then, Presbyters be here meant, and they be rulers, the Holy Ghoſt aſcribes power of ruling to them, which is the queſtion; ſo now I have *confitentem reum*. And your *ſimile*, *Parag.* 11. "*of commanders in an Army*, helps me, not you; for though *Captains* and *Lieutenants* be not ſole *rulers*, they are *co-rulers* in an Army, (you know) both over their

their Companies, and other Officers in a Counſel of war; So if there be Biſhops in the Church, which you here beg, yet they are not to be ſole Governours, as they ſtood with us. What you have concerning *Timothy*, *Parag.* 11. 12. though I deny not the things, it will not ſerve your turn, ſith *Timothy* was not a Biſhop in your ſenſe, but an extraordinary Officer, an Evangeliſt, a diſtinct office, *Epheſ.* 4. 11. and aſcribed to *Timothy*, 2 *Tim.* 4. 5. he had therefore an office, and power above a Biſhop of your fancie, though afterwards from the cuſtome in the Church, and ſome acts that Biſhops did like his, (but not ſolely) he was alluſively, only, if not abuſively, as *Walo Meſſalinus* hath it, ἀποκρισιάριος, called a Biſhop. But this digreſſion about *Timothy*, was but to baffle the Reader, and to take him off the plain evidence of the former Scriptures; for the cloſe, "*that ſuch power was not* "*in Presbyter-Biſhops par enim in parem non habet poteſtatem*; Your rule holds, while they are ſingle; but a company of one kinde is above one ſingle one of the ſame rank; a *Presbytery* is above any one *Presbyter*, as well as a *Synod of Biſhops* above one Biſhop; and ſo a *Presbytery* may exerciſe power over one of their *Presbyters*, as well as a *Synod of Biſhops* over one of their fellow *Biſhops*.

You come to the fourth place, to 1 *Theſſ.* 5. 12. *Parag.* 3. "*We beſeech you brethren, that ye know them which labour* "*among you, and are over you in the Lord, and admoniſh you.*

In anſwer to this, if the *Doctor* go not againſt his own conſcience, he hath but little ſcience. Firſt, he ſaith, "*that* "*a great friend of Presbytery, ſaith, this place is paralel to that*, 1 Tim. 5. 17. And ſo ſay I too: And then if it be not cited (as you know who cited Scripture) with mutilation, there will be ruledom for Elders.

The Elders that rule well, But you leave out theſe words, and onely take the latter; *That theſe Presbyters are worthy of double honour, Who labour in the word and doctrine.* Whence you gather, ruling is nothing, but labouring in the word and doctrine. A collection, juſt like that, *Matt.* 4. 6: *of Chriſt caſting himſelf off the pinnacle*, from *Pſalm.* 91. 11.

lamely

lamely quoted. You add, *Theodoret Thoſe that are over you "in the Lord, that is, they that offer up prayers and ſupplications for you.* Theſe words of *Theodoret*, you bring cunningly, as though they onely expounded the words, *that are over you.* Whereas, it is all he ſaith, to the expreſſion of admoniſhing; whereby its plain, *Theodoret* by his expoſition, rather denotes the perſon intended there, to be the Miniſter, then deſcribes his whole work. I appeal to your own conſcience, whether you think, the genuine meaning of προϊσταμένους, be, to pray for people; but in *Calvin*, whom you cite afterwards, how egregious is your fraud? for though the words you cite are in him, yet they are in opening that other part of the text, *for their works ſake*; but when he comes to that wherein government is, how plain is he to my purpoſe? *Qui præſunt in domino. Hoc additum videtur ad notandum ſpirituale regimen. Which are over you in the Lord.* This ſeems to be added, to note the ſpiritual government, *præeſſe in Domino dicuntur qui Chriſti nomine & mandato Eccleſiam gubernant. They are ſaid to be over them in the Lord, who govern the Church in the name, and in the command of Chriſt.* You abuſe *Calvin* as much, in miſciting his inſtitutions, *lib.* 4. 2, 3, 5, 15. where he ſpeaks not of 1 Theſſ. 4. 12. but of *Timothy* and *Titus*, to whom in the government of the Church, he aſcribed a *Preſidency*, not a *Monarchy*, as his words ſhew. *Falluntur ſi putant*, &c. *They are deceived, if they think that* Timothy, *or* Titus *did uſurp a kingdom in the Church, to diſpoſe of all things at their own arbitriment. Præfuerunt enim tantùm, ut bonis & ſalutaribus conſilijs populo præirent, non ut ſoli excluſis alijs omnibus agerem quod placeret. They were over others, onely that they might go before others, with good and wholeſom counſels; Not, that all other being excluded, they alone might do what they pleaſed.* So that this is ſpoken of thoſe that you call Apoſtles, not Presbyter-Biſhops.

Thus it is apparent, how ungroundedly you confine the rule of Presbyters to prayer, inſtruction, admonition, adviſe.

But you ſay, "*this is all the rule that you can finde belonging to Presbyters.* All that you will finde, you ſhould have ſaid; for you might have found it in the name, Biſhop, which

which is a name of authoritie, and rule, uſed by Heathens; ſometimes for the Rulers of Countries, and Provinces, who are called *Epiſcopi*. And why elſe did that *Presbyter*, that had the chief honour in rule, and after, by manifeſt uſurpation ingroſt all, appropriate the name of ἐπίσκοπος to himſelf, but that the word notes rule? And this title is given to all Presbyters, *Act.* 20.28. *Feed the flock, over whom the Holy Ghoſt hath made you Biſhops, Over-ſeers.* This is ſaid of all the Presbyters, without any hint of diſtinction: and doth not this note government? Let me ask you a queſtion: have you not read *Bilſons perp. government of the Church of Chriſt?* Can you finde no rule belonging there to Presbyters? Its then, becauſe you cannot ſee wood for trees. *pag.* 140. He notes government, to be comprehended under the titles of Shepherd, Watchmen, Over-ſeers, Rulers, Guides; and theſe titles belong to all Presbyters: And *pag.* 141. The government, ſpoken of, 1 *Cor.* 12.28. He makes common to Paſtors, Prophets, and Teachers: and producing that of *Jerom*: *Communi Presbyterorum conſilio regebantur Eccleſiæ*; He adds of his own; *That Elders at firſt did govern by common advice, is no doubt at all to us. This is it which is doubted and denyed by us, that thoſe Elders were lay-men. pag.* 158.159. And after, to prove that the Presbyters were not Lay, but Eccleſiaſtical; he produceth *Jeroms* words, with approbation, *Biſhops and Presbyters, were at firſt all one; and what doth a Biſhop, ſave Ordination, which a Presbyter doth not? Biſhops muſt know, that they are greater then Presbyters, rather by cuſtom, then truth of the Lords diſpoſition, and ought to govern the Church in common,* pag. 150.

And all this, he cites out of *Jerome*, for his own defence: *That what* Jerome *ſpake, he ſpake of teaching, not ruling Presbyters.* But what need I add particulars? the ſume of his 11 Chapter, is, not to deny, but taking it for granted, that in Primitive times there was a Presbyterie that was joyned in government with the Biſhops, without which, he neither could, nor ought to do any thing, in point of cenſure; taking, I ſay, this for granted, he endeavours to prove, thoſe Presbyters, conſiſted onely of teaching, not lay-Elders.

Chapter

Chapter 14. Setting out the uſe of Presbyters in the fourth uſe, he hath theſe words, *The government of the Church, was at firſt ſo conſtituted, that neither the Presbyteries ſhould do any thing without the Biſhop, nor the Biſhop without a Presbytery*, pag. 307. Thus far *Bilſon*.

How clear is that of *Tertullian*, for the rule of Presbyters? *Nam & judicatur magno cum pondere ut apud certos de Dei conſpectu, ſummumq́ futuri judicij præjudicium eſt, ſiquis ita deliquerit, ut a communicatione orationis & conventus, & omnis Sancti commercij relegetur, Præſident probati quique ſeniores, honorem iſtum non pretio, ſed teſtimonio adepti.* Thus it is as clear as the Sun, that ruling is joyned as a duty, and given as a privilege to the Presbyter; of which it was diſpoiled in *England*; and therefore, to maintain it in that poſture, was to maintain it in uſurpation, againſt Chriſts diſpoſition, and ſo unlawful.

But you require, Parag. 14. one place of Scripture, "*that* "*allows Presbyters to excommunicate, or abſolve, of their own* "*authority*.

I anſwer, in all the places where they are made Church-Governours, they are inabled in a regular way to paſs all Church-cenſures; and of thoſe places I have produced and aſſerted many; as alſo where the keyes of the Kingdome of heaven are given to the Miniſterie in general, in the Apoſtles: and the place above cited in *Tertullian*, doth it not extend to excommunication, and that cenſure to be paſſ'd by Elders? But do you ſhew me, on the contrary, in Scripture a Biſhop, that is, an ordinary Paſtor, diſtinct from a Presbyter, indued with ſole power of rule in the Church, I will be of your mind. Your inſtances, of *Timothy* and *Titus*, will not ſerve your turn, for that they were Evangeliſts. *Bilſon* confeſſeth, more then once, the Scripture never calls them Biſhops; They are called ſo by the ancients, becauſe they did thoſe acts, that by humane cuſtome were afterwards appropriated to Biſhops, in regard of preſidencie; but they did them not as Biſhops, which they are not called; but as Evangeliſts, which they were, and were called in Scripture. For the ſpeech in this clauſe, "*of particular mens ſilencing*, it's impertinent; and for the cauſe

cauſe, it's delivered in your railing Dialect, which I paſs by, and of the ſame railing ſtrain is all your 15. *Parag.* only you tell us "*by Scriptures we are made ſubject to Biſhops*; and I have told you, and you confeſs, in Scripture Biſhops and Presbyters are all one, only you have a vain conceit of an Apoſtle-Biſhop; of which more anon.

Parag. 16. 17. You endeavour an anſwer to that, "*that* "*the Presbyters were ſubjected to lay-Chancellors*, but it is only by way of retorſion; direct anſwers you are not furniſhed with, but refer us to the *Doctors Commons*; and yet I doubt not, but you have taken the oath with an &c. that ſwears to perpetuitie, more then Chancellors; but how do you retort? "*firſt, We have ſet many lay-Chancellors for one as the Par-*"*liament and Committees*; ridiculous! when we ſpeak of Eccleſiaſtical Officers, to retort touching thoſe that are civil. But ſecondly, you retort, "*that though We complain of one* "*lay-Chancellor, we ſubject Gentry and Commonalty to many* "*Lay-Elders, and ſay not* (ſay you) *that there be preaching* "*Elders with them, leſt it be return'd upon you, that the lay-*"*Chancellor is but the Biſhops Officer in ſuch caſes of Judica-*"*ture*, &c. But I will ſay, that they have preaching Presbyters amongſt them, and more then you can ſay for Chancellors; yet they are to be choſen by the people in general, over whom they are to be; and though you ſay, "*the Chancellor is but* "*the Biſhops Officer*; Yet it is apparent in the woful experience of many Miniſters, that he is ſuch an Officer, that without, and againſt the Biſhops minde, hath convented and ſuſpended Miniſters, which is more power then the Biſhop ought to have; *Epiſcopus ſacerdotibus ac Miniſtris ſolus honorem dare poteſt, auferre non poteſt*; confeſt by *Biſſon, perpet. govern. pag.* 107. where the Counſel of *Hiſpalis* 2 *ca.* 2. and Counſel of *Afric. ca.* 26. are cited; what you add about "*inſtitutions by Chancellors*, is nothing to me, who never yet had inſtitution; nor hath it any ſenſe in it, that it ſhould be againſt Gods direction, to receive inſtitution from a lay-Chancellor, as our land makes a Rectorie an inheritance, wherein the Civil Magiſtrate doth protect us.

You conclude, *Parag.* 18. "*That my firſt argument, you*

"*hope, is ſufficiently confuted*; You have done your beſt, it's like, yet it ſtands in full force and vertue; That if the Kings oath bindes him to maintain Epiſcopacie, as it ſtood in practiſe, and as it is in your famous &c. oath; It is an engagement in that point to what is againſt Scriptures rule, and primitive practice; therefore an obligation to what is unlawful, and in that point *invalid*. In the cloſe, "*you cannot* "*give off without calumniating, though never ſo irrationally*. I ſay in anſwer, who ever they be, that hinder the Miniſters of God from any part or dutie of their calling required of God, uſurp upon them; and they that maintain them in that, maintain them in uſurpation; this is a truth, without derogation from any authoritie; and ſo I cloſe this ſecond chapter.

CHAP. IV. PARAG. I.

Wherein it is cleared, that Epiſcopacy is not to be upheld by our Proteſtation, and that there may be ordination without it, in anſwer to Doctor Boughen's *fourth chapter.*

Caſe of Conſcience Reſolved

BUt though this way of invalidating the Kings oath be moſt ſatisfactory to ſome; yet to thoſe that are not convinc'd of the unlawfulneſs of Epiſcopacie, it will not hold; and ſo it would caſt the reſolution of this doubt, about the oath, upon another queſtion, touching the unlawfulneſs of Epiſcopacie, which is a larger field. I ſhall therefore endeavour to ſhew, that though for argument ſake, it be granted that Epiſcopacie be lawful, yet notwithſtanding that his oath, the King without impeachment may, in this circumſtance, conſent to abrogate Epiſcopacie.

To anſwer this paſſage, you deſcend *cap.* 4. but there begin with ſuch notorious trifling, as I never ſaw in a man pretending to learning.

For

For *Parag.* 1. You infer, " *if Epiſcopacy be lawful, then* " *the Kings oath is not vinculum iniquitatis*; egregiam laudem, &c. who knows not, that on that ſuppoſition the oath is lawful? You adde, " *but mine own conſcience began to* " *check me for this, becauſe I ſay it is only ſatisfactory to ſome.* You are miſtaken ſir; The reaſon why I diſputed the oath on a ſecond bottom, was, becauſe though I thought you, and men of your affection, might interpret the Kings oath to maintain Epiſcopacie, in that uſurping height wherein it ſtood, that by his oath you might keep up your own abſurd &c. oath; yet I perceived that his Majeſtie, and other impartial Judges, might interpret Epiſcopacie in a more moderate way, as it is now come to paſs (his Majeſtie offering to bring Epiſcopacie to that tenor, that they ſhall do nothing without their Presbyters;) and with ſuch moderation many count it lawful, nay few count it unlawful; therefore I diſputed the caſe under the ſecond notion; though Epiſcopacie were lawful (underſtanding, as you may perceive by the ſcope, lawful only, not neceſſarie) yet the King might conſent by Bill to abrogate it.

After having ſpent *parag.* 2. in impertinent ſlander, according to your cuſtome, *parag.* 3. You ridiculouſly deſcant upon two phraſes *ſatisfactory, and not hold*; though being applyed to divers perſons, your own conſcience tells you, there's no incongruitie in them. And then you tell " *what* " *pity it is that I have to deal with learned, and rational men,* " *and not with* Ignoramus, *and his Dulman*: Sir, to eaſe your paſſion, I have to deal with both. In my firſt attempt with the firſt, which I ingeniouſly acknowledg; in this ſecond with the latter, which I have in part, and ſhall more clearly evince, and that in the next *Paragraph*; For I having ſaid, that the King, without impeachment of his oath, might in this circumſtance conſent to abrogation of Epiſcopacie: You ask, what I mean by " *circumſtance, whether the Kings oath, or* " *Epiſcopacie*; and run on in a childiſh deſcant, unworthy of paper; when any but a Dul-man may ſee plainly enough, what I mean by (in this circumſtance) that is, according to the

grounds of the queſtion in the former page. In this ſtate of the nation, that no hope of ſafety without union between King and Parliament; no hope of union without abrogation of Epiſcopacie; for the Houſes had abrogated it, and the ſword was in their hands.

Next, *Parag.* 5. You confeſs " *the King may abrogate* " *what is lawful.* I thank you Doctor, you have given me the queſtion; for if the King may abrogate what is lawfull, then the reaſon why the King cannot conſent to abrogate Epiſcopacie, is not his oath (in your judgment,) but becauſe it is an ordinance of God, and more then lawful. Well, now let us try it there; prove Epiſcopacie to be the ordinance of Chriſt, I will yield you the cauſe.

This you ſay, *Parag.* 6. " *You have proved already, cap.* 2. 6. 7. 8. And I there have ſhewed the weakneſs and ſophiſtry of your proofs, and ſhall do it more hereafter.

But you proceed, *Parag.* 7. "*That Epiſcopacy is the onely* " *order to which Chriſt hath given power to ordain Presbyters,* " *and Deacons,* &c. What you deliver here, is apparently falſe; for firſt, Chriſt gave power immediately to Apoſtles to do it, and the Apoſtles to the Evangeliſts; this power they exerciſed in *Eccleſiis conſtituendis, in conſtituting Churches.* And theſe extraordinary officers dying, and their extraordinary offices ceaſing, as almoſt all confeſs, what parts of their office were of perpetual uſe; as praying, preaching, adminiſtring Sacraments, and the uſe of the keys, were left to thoſe ordinary Officers, Paſtors and Teachers, *Eph.* 4. 11. And under them are comprized all ordinary teaching Miniſters, without any diſtinction from God: the diſtinction that followed after, was but humane for order, and to avoid accidentall inconveniences; as *Ambroſe* and *Jerome* witneſs moſt plainly, and unanſwerably, unleſs men ſet themſelves *nodum in ſcirpo quærere*; let the reader view the places in *Bilſon*, where he brings them (to prove the Presbyteries were of preaching, not of lay-Elders) againſt lay-Elders, and let his view be impartial, and I doubt not, but he will approve what I aſſert.

" *You proceed, no Biſhop, no Prieſt; no Prieſt, no Lords Supper.* Now indeed, you reaſon like a Catholique, but a

Roman Catholique; for juſt ſo, *Bellarmine*, and others of that leaven, argue againſt Proteſtant Churches, to un-Church them; with whom, though you may joyn; yet all thoſe, that according to their profeſſion, are true Proteſtants, and imbrace other reformed Churches as dear ſiſters, will not thank you, but diſdain you, and your aſſertions, that do obliquely un-Church the moſt of them. And that which our Divines anſwer to them, ſhall ſtand good, maugre your teen, and skill. For they holding and proving, that a Biſhop and Presbyter, differ not by Gods law, but humane; And knowing, that Presbyters are the Paſtors meant, *Epheſ.* 4. 11. And that thoſe Paſtors are the ſucceſſors of the Apoſtles, to exerciſe all perpetual acts of miniſterie, whereof ordination being one, they muſt needs, by divine law, be inveſted with it. The Biſhop, you plead for, was but *primus Presbyter*, a chief Presbyter, elected to guide and govern the *Presbyterie*, in acts of government. For all antiquitie acknowledgeth the *Presbyterie* did govern with him, and ordain with him.

Now if the *Presbyters* elect one to be *Preſident*, though not for life; why ſhall not their act be as valid, as if the Preſidencie were for longer continuance? Sure, while learned *Bilſon* gathers from the Presbyterians grant, of a Preſident in the Prebyterie, by Divine law, or light of nature, though not the ſame man perpetually, that their Preſidens differ not materially from thoſe Biſhops that the Fathers ſpeak of, to make good his cauſe againſt them: We may alſo infer, if the difference be ſo little, as he acknowledgeth, (as indeed it is not much) then may we ſure infer, that if the Ordination of the one be compleat, the Ordination of the other, cannot be eſſentially defective.

Auguſtine is impertinently cited by you, "*Sine noſtro* "*officio eſt plebi certa pernities. Without our, (without the E-* "*piſcopal office) there is certain ruin to the people.*

For though *Auguſtine* were a Biſhop, and wrote to a Biſhop, (as you ſay) yet by that, *without our office*, he plainly means the office of the Miniſtery in general, not of Epiſcopacie: For he makes it lawful to flee, in that Epiſtle, as *Paul* did, when there be others to look to the Church;

Fugiant

Fugiant (saith he) *ubi ab alijs, (qui non ita requiruntur,) non deseratur Ecclesia, sed præbeant cibaria conservis suis, qui aliter vivere non possunt. Let them flee, where the Church is not forsaken of others, that have not such an eye upon them, but they will minister spiritual food to their fellow servants, which otherwise cannot live.* Now what were those others? not Bishops, for there were not many of them in one City, or Countrey; but Presbyters.

But now you will prove it, by the Protestation and Covenant. First, by the Protestation, "*You have vowed in the presence of Almighty God, to maintain the true reformed Pro-*" *testant Religion, expressed in Doctrine of the Church of* England.

Add, I pray you, against all Popetie, and Popish innovations. And you must remember again presently, upon the framing of the protestation, there was an Explanation put forth, before it was taken, in the Countrey, or Citie; *that under the Doctrine of the Church of* England, *the Discipline then in the Church of* Egland, *was not included.* So, your Argument from the Protestation, is of no value.

But yet let us see what you can say for this, out of the Doctrine of the Church of *England. First*, "*the ordinary* "*way to heaven, is by the Word and Sacraments No man* "*may preach and administer the Sacrament, but he that is* "*lawfully called and sent; none are lawfully called and sent,* "*but they onely, who are called and sent by those who have* "*authority. Bishops, and onely Bishops, have authority to send* "*in this kinde,* Article 39.

Here you play leger-demain, for the Article holds forth the way of ordination, by the Book of Consecration, to be a lawful way, but not the only lawful way. For the Composers of those Articles knew very well, that there was another way of ordination in other Churches, whom they alwaies held as sisters; which they did not, with the Papists, condemn, though the Article approve the English; way and that being held forth as a lawful, not the onely lawful way; it hinders not, but others may be authorized to ordain, as in other Reformed Churches; and therefore, if the Protestation for the main-

tenance of the Doctrine of the Church of *England*, were without exception againſt the Diſcipline, it will not prove your *no Biſhop, no Prieſt*. "*The Book*, you ſay, *was compoſed in the dayes of King* Edward *the ſixth, by thoſe holy men, who after were bleſſed Martyrs*. But theſe men, I muſt tell you, were not of your minde, that the diſtinction of Biſhops, from Presbyters, was any other, then what *Jerome* had taught them by humane cuſtome, * nor held, the power of the keyes belonged onely to them; for in this Book of ordination, they charge the Presbyter, not only with care in Word and Sacraments, but the Diſcipline of Chriſt too.

* Dr *Downam* in anſwer to his reply is driven to this. If the Biſheps better informed, concerning their functions, had now reformed their judements, that is, to hold their offices not by humane, but Divine diſpoſition; In his anſwer to the Replyers Preface, who had preſt him with the judgement of *Whitguift* and *Jewel*.

And whereas, you add, "*That the Articles were confirmed*, 13. Elizabeth, *and ſubſcription enjoyned*; You ſhould remember, it was with limitation, ſo far as they contained the Doctrine of the Church, not the diſcipline. You conclude, "*thus far with the Proteſtation*. But yet a little further, I pray you; For the Proteſtation adds, that the Doctrine of the Church of *England* is to be maintained againſt all Popery: Now you may finde in *Bellarmins lib. de Clericis*, your argument of *no Biſhop, no Prieſt*, ſo no Sacrament, ſo no Church; wherein all Proteſtant-writers oppoſe him, Engliſh and others: and therefore, ſurely, the Doctrine of the Church of *England*, rightly underſtood, condemns your poſition, which is a poſition in Popery, to overthrow Proteſtant Churches.

CHAP. IV. PARAG. 2.

Where in is ſhewed, that the National Covenant, doth not engage to uphold Epiſcopacy: In Anſwer to Doctor Boughens *fift Chapter.*

IN your fift Chapter, you attempt to prove, "*that the ſolemn league & covenant engageth to maintain Epiſcopacy*. I might tell you, this is nothing to me, nor to the matter; for what-

whatever you fancie of the Covenant, they that framed it, will follow it in their own ſence; and if any Covenanters be of that minde, as you are, that not your, but moderated Epiſcopacie, that is, a Super-intendencie over a Presbyterie, be neereſt the word of God, yet they were not ſo conſiderable, as to be able to make peace, without abrogation of Epiſcopacie; nor without peace, to preſerve King and Kingdom. If they could, then my Treatiſe were anſwered, by change of circumſtances; that argues the lawfulneſs of the Kings condeſcention, chiefly in that circumſtance. But to the matter it ſelf, you have not, nor do you here bring any thing to ſatisfie.

First, *Parag.* 1, 2, 3. You come with your *Crambe bis cocta*, "*That no ſalvation, but by hearing and Sacraments,* "*nor theſe without miſſion. The Apoſtles were ſent of Chriſt,* "*and they ſent others,* Titus *and* Timothie, *to ordain Miniſters.*

To all which I have anſwered before, and in part cleared it, That the Apoſtles, and *Timothy* and *Titus* their aſſiſtanſts, as Evangeliſts, were extraordinarie officers, and ceaſed; and that, the onely ordinary officers now are Paſtors, and Teachers, *Epheſ.* 4. 11.

Touching whom, the Apoſtle gives direction, 1 *Tim.* 5. *Titus* 1. under the name of Biſhops and Elders; (and theſe are Succeſſors of the Apoſtles) to all that power that is ordinarie and neceſſarie in the Church; and among theſe, ther's by Gods law, no prioritie, but of gifts, and order delegated by election. But for any Biſhops, that are of the ſame order with the Apoſtles, its a ſtrange and groundleſs notion. Almoſt all Divines tell you, that Apoſtleſhip was an extraordinarie office, that ceaſed; and though an Apoſtle may be ſaid, alluſively, to be a Biſhop, yet a Biſhop may not be ſaid to be an Apoſtle; yet theſe things you over with again in this Chapter, and tell us of "*two ſorts of Apoſtles, the Apoſtles* "*of Chriſt, and the Apoſtles of the Churches, Philip.* 2. 25. 2 *Cor.* 8. 23. Whereas, I have ſhewed you, that for *Epaphroditus*, he is ſaid there, either to be a meſſenger onely, from *Philippi*, to Saint *Paul*, (which is more evident, in the ſame

phraſe

phraſe uſed of thoſe, 2 *Cor.* 8. 23. expounded by *Bilſon* himſelf, of meſſengers from the Churches, *pag.* 75.) or elſe that notes them to be, *ſecundarii Apoſtoli*, that is, as *Salmaſius* takes it *Evangeliſts*, and ſo extraordinary Officers: but more of this in the next Section.

Next, you proceed to the example of beſt reformed Churches, wherein we agree with you, to reform, is *in primævam formam reducere*, but that form is in Scripture, that's our firſt Chriſtian ſtory, and there we finde no Biſhop, but what is a Presbyter; others that are abuſively called ſo, were not properly ſuch, but Officers of an higher kinde, whoſe Office being extraordinary, dyed with them: For your particular quotations; firſt, that of *Zanchi*, "*Exempla veteris* "*Eccleſiæ nobis debent eſſe inſtar præcepti, the Examples of* "*the ancient Church ought to be to us as a precept*, is to be underſtood, of the Church under the Apoſtles, regiſtred in the Scriptures; and ſo the Miniſters of *London*, (whom you cite alſo) ſpeak expreſly, that Scripture-examples are obligatorie, and that will not ſerve your turn: But for the quotations out of *Zanchy*, "*that, in his conſcience they were no* "*better then Schiſmatiques, that counted it a part of reforma-* "*tion to have no Biſhop in degree of authority above their true* "*fellow Presbyters*: I have ſought it earneſtly in the place cited, but cannot finde any ſuch thing, *de vera reformanda Eccleſiæ ratione*; but in other places I finde the contrary. In a ſhort confeſſion of his faith, when he was ſeventie years of age, *cap.* 25. *de Eccles. Gubernatione*, he ſpeaks to this effect; *He acknowledgeth only Paſtors and Teachers to be left by the inſtitution of Chriſt, as ordinary Miniſters. The ſuperintendency of one, taken up by men, as a remedy of Schiſm, he diſlikes not*; but from the tyrannie, into which that preſidencie degenerated; he concludes, *Quo proprius acceditur in ordinibus Miniſtrorum ad ſimplicitatem Apoſtolicam, eo magis etiam nobis probetur; atque ut ubique accedatur, dandam eſſe operam, judicemus*: *In the Orders of Miniſters, the neerer we come to Apoſtolicall ſimplicity, the more is it to be approved, and diligence ſhould be uſed, that every where ſuch propinquity to the word ſhould be attained*: Here you have *Zanchy* di-

rectly againſt what you would have him ſay; as alſo, on the fourth Commandement, *de diverſis Miniſtrorum generibus, he cleerly agreeth with me*, that Paſtors mentioned *Eph.* 4. 11. are the higheſt Officers now left in the Church; and thoſe the ſame, mentioned 1 *Tim.* 3. & *Titus* 1. Biſhops, or Presbyters, which he proves to be all one; and that ſuperioritie, that in proceſs of time, one had above another, was but by humane grant; For what you cite out of *Melanthons* Epiſtles, touching Biſhops; It is but one mans private opinion, and that, when they were in that caſe, that we a long time were, and ſtill in the greateſt part are, without any government ſetled; and undoubtedly, the Church had better be under a government that hath ſome rigour or tyranny in it, then under no government; ſo to ſhake off Biſhops, as to be under no government, is, as *Melanthon* truly ſaith, *inexpedient; if it were lawful; and ſuch a liberty* (*as* Luther *ſaid*) *is Libertas minimè utilis ad poſteritatem, a liberty no wayes profitable to poſterity.* But what is this to the Covenant, which relates not to perſons, but to Churches? Now it is apparent, that the Churches of *Germany* have reformed Epiſcopacie ſo, that they have no ſuch Apoſtle-Biſhop, as you dream of, but *Presbyterie* at the moſt, with the *ſuperintendency* of one in their Presbyteries: neither hath that any weight, that you ſpeak, "*of the Convention at Auſpurg*; for they were then but in a way of reformation, it was but the dawning of the day with them, and they could not ſee all things at the firſt; but we ſee, when they come to ſettle the order of their Churches, they ſetled Presbyterie, not Epiſcopacie: And yet I deny not, that if the Biſhops would then have been reaſonable, they would have admitted their juriſdiction for peace-ſake, as *Melancthon* ſaith, *redimere pacem.* And truly Sir, though I maintain, that the King, for peace, may aboliſh Epiſcopacie: Yet I am of that minde, and wiſh others were ſo too, *redimere pacem duriori conditione*, as *Melanthon* ſaid, to *redeem peace with an harder condition*; with Epiſcopacie ſo regulated, as at firſt, to preſide and rule in his Presbyterie.

But one thing I may not paſs; for, whereas *Melanthon* ſaith, that they did grant to Biſhops, *& poteſtatem ordinis*

&

& juriſdictionis, the power of order, and juriſdiction; you enquire "*What is this power of Order: certainly a power that* "*Presbyters had not, that is, a power, at leaſt, to ordain* "*Miniſters:* But here, Maſter Doctor, you bewray too much ignorance for a D. D. for in power of order, not only Protestants, but moſt Papiſts make Biſhops and Presbyters one, for that is to perform, as officers, prayers, conſecrate ſacraments, &c. and power of juriſdiction, only they make a Biſhops peculiar.

For what you proſecute, touching "*power of Ordination to* "*be only in their Biſhops, not Presbyters*; I will ſpeak more fully to that in the following Section; In the mean time I muſt tell you, that in quoting *Salmatius, Parag.* 15 Of this Chapter, you ſhew egregious negligence in reading, or, which is worſe, deceit; for the words you cite out of him, touching *Timothy* and *Titus*, "*that they were Biſhops indeed, of the* "*ſame right, and of the ſame Order, whereof at this day they* "*are accounted, who govern the Churches, and are over Presby-* "*ters*:. This he brings only by way of explication of *Theodorets* opinion; but when he comes to deliver his own, He ſaith, *pag.* 63. *That* Timothy *was rather ſuper-Epiſcopus, above a Biſhop, an Apoſtle.* And again, pag. 69. He ſaith of them, *per abuſum igitur & improprie Epiſcopi appellabantur, they were improperly, and abuſively called Biſhops.* Thus alſo you uſe the *London* 1. D. who (you ſay) confeſs, that their government is not above 80. years ſtanding: whereas they aſſert the inſtitution of it by Chriſt, and the reſtitution only for 80 years; when they did likewiſe reform the corrupt doctrines in Poperie: And do not you ſpeak againſt your conſcience, when you ſay, "*Calvin would have crusht* "*that government in the bud*, that ſometimes you make a *Geneva* invention? Who would think a D. D. ſhould be ſuch a citer of authors?

But to conclude this Section; if Biſhops have no place in Scripture, the beſt reformation muſt be, to aboliſh Epiſcopacie; though well limited, they may be tolerated; and that they have no place in Scripture, is the work of the next Section.

CHAP. IV. PARAG. 3.

Wherein, for a fuller answer to What the Doctor hath said to prove Episcopacy Christs institution; this Question is resolved: whether a Bishop (now usually so called) be by the ordinance of Christ, a distinct Officer from him that is usually called a Presbyter? The one a successor of the Apostles, indued with power of ordination and other jurisdiction; the other, the Successor of the Presbyters, ordained by Timothy *and* Titus, *endued with power of administring Word and Sacraments*: Neg.

FOr the sounder and clearer resolving of this question, I shall proceed by way of *Thesis*, fetching things from the first original; barely proposing only what is confest by all, but proving those things, wherein there is any controversie, or whereon the controversie hath dependance.

Thesis, 1. first its agreed amongst all, that all the teaching Officers that can challenge Divine institution, are set down in an intire Catalogue, *Eph.* 4. 11, *And gave some Apostles, and some Prophets, and some Evangelists, and some Pastors, and Teachers*; and therefore all that cannot derive their pedigree from one of the[se], must be in the case of those, *Neh.* 7. 64.

Thesis, 2. That of these Officers, some were extraordinary, some ordinary.

Thesis, 3. That Apostles, Prophets, Evangelists, were extraordinary officers, for the first planting of Churches; and Pastors and Teachers, ordinarie.

Thesis, 4. That the *extraordinary* officers were *temporary*, and the ordinary to be perpetual in the Church, *Bilson perp. govern.* p. 300. The office of Evangelists was extraordinary and temporary: Field of the Church, *lib.* 5. c. 22. And indeed, whatsoever is *extraordinary*, is *temporary*.

Thesis, 5. That *Apostles* were the highest of *extraordinary*

nary officers: and *Paſtors*, the higheſt of thoſe that were *ordinary*. *Apoſtles* are named firſt, and all that are named before *Paſtors*, are acknowledged *extraordinary*, *Epheſ.* 4. 11.

Theſis, 6. That in the extraordinary Officers, there were ſome gifts and acts peculiar to them, as ſuch; as to the Apoſtles immediate calling, divine inſpiration, infallibility in doctrine, univerſal charge; and in the Evangeliſt, to be an aſſiſtant to an Apoſtle, not to be perpetually fixt to any place, but for the finiſhing ſome ſpecial work, as *Timothy* at *Epheſus*, 1 *Tim.* 1. 3. *Titus* at *Creet*, *cap.* 1. 5. & 3. 12.

Secondly, There were ſome qualities and actions, which though required in, and done by them, as extraordinary officers, in an extraordinary way, yet are of neceſſitie; and are, in an ordinarie way, perpetually to be continued in the Church of God; as abilities to teach and rule the Church; and the acts of teaching, praying, ordination of Miniſters, Church-cenſures, &c. See *Bilſon perp. govern. chap.* 7. *pag.* 106. 107.

Theſis, 7. That theſe Paſtors, *Eph.* 4. 11. that are the higheſt ordinary Officers, are Succeſſors to the Apoſtles in all that power, and authoritie, and all thoſe acts flowing from it, which are neceſſary, perpetual, and ordinary in the Church of God. This al o is clear; power and authoritie require a ſubject; divine power and authoritie, a ſubject of divine inſtitution: Now no other remains of thoſe of Gods inſtitution, but Paſtors and Teachers, which if they be not the ſame, Paſtor is the chief. The other, as temporary, are ceaſed; therefore Paſtors muſt be their ſucceſſors, in all this power: and in them muſt the commands for execution be kept, without ſpot, or unrebukable, untill the appearing of our Lord Jeſus Chriſt, 1 *Tim.* 6. 14. And to them muſt that Apoſtolical promiſe be performed, *Matth.* 28. 20. *Behold, I am with you to the end of the world.*

Theſis, 8. The *Paſtors* and *Teachers*, 1 *Cor.* 12. 28. *Eph.* 4. 11. are no other but *Synonymaes* with thoſe *Elders ordained in every Church*, Acts 14. 23. *and in every City*, Tit. 1. 5. This is clear; for thoſe *Elders* that were here ordained,

were officers of Chriſts giving. The Apoſtles would ordain no others: it had been ſacrilegious preſumption; but they were neither *Apoſtles, Prophets*, nor *Evangeliſts*; *Ergo*, if Chriſts, they muſt be under either *Paſtors or Teachers*

Theſis, 9. Theſe *Elders*, were, by the Holy Ghoſt, alſo ſtiled *Biſhops*, and were indeed *Biſhops*, *aliud ætatis, aliud officii nomen*; and of them it is, that direction is given under the name of *Biſhops*, 1 *Tim.* 3. Herein *Jerome* is moſt plain, ſeconded by *Ambroſe*, or *Hilary*, an approved Author, under his name; who though they differ from other fathers, who underſtand by Biſhop, 1 *Tim.* 3. a Biſhop diſtinct from a Presbyter, ſuch as was in their times: Yet *Jeromes* reaſon preponderates all, becauſe drawn out of the bowels of the Text, 1 *Titus* 1. 5,6,7. *Attend* (ſaith he) *the words of the Apoſtle, who having diſcourſ'd of the qualities of a Presbyter, after infers; for a Biſhop muſt be blameleſs*, &c. *Therefore a Biſhop and a Presbyter are the ſame. Again, if any yet doubt,* (ſaith he) *whether a Biſhop, and a Presbyter, be not all one, let him read the Apoſtle*, Phil. 1. 1. Paul, *and* Timotheus, *the ſervants of Jeſus Chriſt, to all the Saints which are in* Philippi, *with the Biſhops and Deacons.* Philippi (ſaith he) *was a City of* Macedonia: *and certainly, in one City (as now they are called) more Biſhops could not be. But St.* Paul *thus wrote, becauſe at that time, Presbyters and Biſhops were all one. If yet this ſeem ambiguous* (ſaith he,) *that Presbyters and Biſhops were all one, it may be proved by another teſtimony: It's written in the Acts of the Apoſtles, when St.* Paul *came to* Miletum, *he ſent to* Epheſus, *and called to him, thence, the Elders of that Church, to whom amongſt other things he ſpake thus; Take heed to your ſelves, and to your flock over which the Holy Ghoſt hath placed you Biſhops, to feed the Church of God*, &c. *Obſerve this diligently,* (ſaith he) *how calling the Presbyters of one City,* Epheſus, *he afterwards calls them Biſhops:* he adds Heb. 13. 17. & 1 Pet. 5. 1, 2. *and concludes theſe things, that we might ſhew, that amongſt the Ancients, Presbyters and Biſhops were the ſame.*

Hieron. in Ep *ad Titum.*

Theſis, 10. After the deceaſe of the extraordinary Officers, *Apoſtles, Prophets, Evangeliſts*, and their Office, with the

cauſe of it with them: the Church acknowledgd no other Church-Officers, as inſtituted of Chriſt, but only the two, mentioned 1 *Tim.* 3. & *Titus* 1. 1 Biſhops or Presbyters. 2 Deacons. *Clemens*, mentioned *Phil.* 4. 3. who is witneſſed, by *Tertullian*, to be ordained of St. *Peter* himſelf, *de preſcrip.* in an Epiſtle to the *Corinthians*, writes thus: *The Apoſtles preaching through the Countries and Regions: their firſt fruits, whom they had tryed by the ſpirit, they appointed for Biſhops and Deacons to believers. Here you ſee, by the Apoſtles were conſtituted but theſe two Offices, Biſhops and Deacons*, of whom he afterwards ſaith, *that thoſe that have humbly, and unblameably miniſtred to the ſheep-fold of Chriſt, thoſe we may not think may be juſtly thrown out of their Miniſtry*: whence he infers, Αισχρὸν, &c. It's a filthy thing beloved, yea, very filthy, and unworthy that converſation which is in Chriſt Jeſus, to hear, that the moſt ſtrong, and ancient Church of *Corinth*, for one or two perſons, ſhould make a faction againſt their Presbyters: He concludes, ὑμεῖς οὖν. You therefore, who have laid the foundation of ſedition, be inſtructed to repent, and be ſubject to your Presbyters; ſo, whom he called Biſhops, he now calls Presbyters; and gives not, ſo much as any hint of any ſingular Biſhops, but the company of Presbyters, or Biſhops, over the Church of God, *vid. Blond. Apol. pro ſanct. Hieron. p.* 11, 12.

Polycarpe, in an Epiſtle to the *Philippians*: *Be ye ſubject to the Presbyters and Deacons, as to God, and Chriſt; and here you ſee but two offices: and therefore yet the Presbyters ruled the Church in Common. Blond. ubi ſupra, p.* 14, 15. where many more witneſſes may be ſeen. And in this, the Maſter of the Sentences conſents too, *lib.* 4. *Diſt.* 24. *de Presbyteris; unde & Apud veteres, iidem Epiſcopi & Presbyteri fuêre: quia illud eſt nomen dignitatis, non etatis*: and a little after, *excellenter tamen canones duos tantùm ſacros ordines appellari cenſent; Diaconatus, ſcilicet, & Presbyteratus, quia hos ſolos primitiva eccleſia legitur habuiſſe, & de his ſolis præceptum Apoſtoli habemus.*

Theſis 11. Amongſt theſe Biſhops or Presbyters, there was one, who by the conſent of the reſt, either by their free election,

election, or for his priority in conversion and ordination, had a preheminence of honour above the rest, for order-sake; who had no new ordination, or none for a great while, but what he had from his fellow-Presbyters, who chose him, and exalted him, without any further ado, So *Hierom, ep.* 85. *ad Evagrium*, which he confirms from *Alexandria*; *For* (saith he) *Alexandriæ*, &c. *At* Alexandria, *even to* Heraclas, *and* Dionysius, *Bishops*; *The Elders did always name one Bishop, chosen out of themselves, and by them placed* in excelsiori gradu, *in an higher degree of honour*, (not office.) Now whether in their choice, they did only look at merit, or whether they did a good while, (till, as* *Ambrose* saith, it proved inconvenient) advance him that was the next senior; it is argued both waies, though in my opinion, *Blundel* hath made it most probable, that according to *Ambrose* his expression, it went by senioritie for certain yeers; in his preface to the fore-cited Book. Some think, it went by senioritie in some places, and by election in others.

* *Ambrose* or *Hilary* on the *Ephesians*. *Quia prim m Presbyteri Episcopi appellabantur*, &c. For he calls *Timothy* (who was created a Presbyter by him) a Bishop, because at first, Presbyters were called Bishops, that one with-drawing, another did succeed; but because the following Presbyters were found unworthy to hold that primacy, the way was changed, a Counsel providing, that not order, of time but merit should make the Bishop, constituted by the judgement of many Presbyters, lest an unworthy man should rashly usurp it, and be a scandal to many.

Thesis. 11. This preheminency that one had above the rest, was by Ecclesiastical custom, not by Divine institution: and advanc'd him onely to an higher degree, or dignity; not to another order, distinct from his fellow-Presbyters; so that, still he must derive his succession from the Presbyters, or Bishops, that were to be ordained in every Church, and is to finde his place in the divine Catalogue of officers, *Ephes.* 4. 11. under pastors, and not Evangelists, or Prophets. That this preheminence was not from any divine institution, but Ecclesiastical ordination, *Jerom* is expres: *The Bishops must know, that they are greater then Presbyters, rather by custome, then Divine disposition*, Hieron. in Tit. So *Augustine*, ep. 19. *Although, according to the words of honour, which the Churches use hath obtained, Episcopacy is greater then Presbytery*, &c. Yet: See here, the precedencie of Bishops, is an honour of words, and a fruit of use. And this may be further cleared, from what was first done in conferring this preheminence. It was but a bare act of the rest of the Presbyters, as appears by the example brought by *Hierom*, in the Church of *Alexandria*. *They chose out of themselves, and set him*

him in an higher degree: This they did of themſelves, and by themſelves, without any Divine command, (Let it be produced, if there be any;) yea, without any example, in any of the Churches in the Scripture, and they did it by themſelves, without the concurrence of other, and they could not ſet him in an higher order; Presbyters cannot make an Apoſtle.

Thirdly, this may appear, from that little difference that was between ſuch a Biſhop and a Presbyter, in the fathers times. *Chryſoſt. Theophylact, Hilary, on* 1 *Tim.* 3. Inquiring the reaſon, why the Apoſtle paſſeth from directions about Biſhops, to directions about Deacons, no mention being made of a Presbyter; Give anſwer; Firſt, *Hilary*, or, *Ambroſe*, *Quia Epiſcopi & Presbyteri una ordinatio eſt, uterq; enim Sacerdos eſt, ſed Epiſcopus primus. Becauſe, of an Elder and a Biſhop there is but one ordination, both are Presbyters, but a Biſhop is firſt.* And *Chryſoſtom*, *Becauſe, a Presbyter doth ſo little differ from a Biſhop* to wit, *in nothing but ordination*, ſaith he, *In nothing but election*, ſaith *Theophylact.* Now, where the difference is ſo little, that one direction for qualification will ſerve for both; there is plainly acknowledged a difference in dignity, or degree of excellencie onely, not in order or office.

That conceit then of *Theodorets*, that they that are now called Biſhops, were heretofore called Apoſtles, and thoſe that are now called Presbyters, were then, *i. e.* in the Apoſtles times, called Biſhops, is it ſelf too groundleſs a fancie for you (Doctor *Bonghen*) to ground your diſtinction of Apoſtle-Biſhops, and Presbyter-Biſhops; as though our now Biſhops were Apoſtle-Biſhops, and ſo of an higher Order, and indued by that order from Jeſus Chriſt to many peculiar acts, which a Presbyter could not do: And that they are not only an higher degree of Presbyter-Biſhops, indued with power by humane wiſdome to proceed and order thoſe actions, which by divine right, belong to all their fellow-Presbyters, who are to joyn with them in theſe acts of juriſdictions: This diſtinction, I ſay of yours, it hath no bottom to bear it up.

For firſt, you ſee its directly contrary to *Hierome*, and *Ambroſe*, or *Hilary*, and many others; who make Biſhops in their *ſtatia.* *Vide Morton. Appl. Catbol. l.* 1. *c.* 3 3. *Grim.*

their times, to be the ſame with Presbyters, or Presbyter-Biſhops, as you call them: Nay, it differs from other Fathers, who though they acknowledg not an *Identity* of a Biſhop and Presbyter; yet they take that, which you ſay is ſpoken of a Presbyter-Biſhop, 1 *Tim.* 3. & *Tit.* 1. of ſuch Biſhops as were in their time, which you would have to be Apoſtle-Biſhops.

3. It hath no ground in Scripture. The Scriptures ſets no other orders, but Apoſtles, Prophets, Evangeliſts, Paſtors, Teachers, which are thoſe Presbyter-Biſhops, ſpoken of *Acts* 14. 23. *Acts* 20. 28. 1 *Tim.* 3. *Tit.* 1.

Now the three firſt are extraordinarie, and ceaſ'd; the latter only remain. And therefore the Biſhop, for what of him is divine, muſt be a Paſtor, and that's the ſame with a Presbyter-Biſhop; elſe, ſhew us ſome inſtitution for him: To talk of *Timothy* and *Titus*, is vain, being it is witneſſed by Scripture, confeſ'd by all, that they were Evangeliſts, which is extraordinary: Succeſſors they may, and muſt, have in the work of ordination, but in their office they have not; but the ſame work is done by Paſtors, ſucceeding them in thoſe acts of Diſcipline, as well, as in thoſe of teaching and adminiſtring the Sacraments: Neither need we be moved with the appellation which the Fathers beſtow on them, calling them Biſhops of *Epheſus*, and *Crete*; and ſaying, that St. *Paul*, in them, taught all Biſhops. For when Scripture calls them Evangeliſts, and reckons Evangeliſts among extraordinarie offices, that Chriſt hath given; what authoritie is of force againſt this teſtimony? Therefore we favourably interpret the ſaying of thoſe Fathers: that they call them Biſhops, with relation to the cuſtome of their times, who called them Biſhops, that did thoſe acts that *Timothy* and *Titus* did, not that they were properly ſo: For they were of an higher order, and did theſe acts as Evangeliſts: which their ſucceſſors are to do, as ordinarie Paſtors: Neither will their being Evangeliſts hinder the uſe of their examples, or the precepts given to them: For the ſame acts done by whatſoever officer, are to be done by the ſame rule; and therefore; as directions given to them for preaching, ſo for acting in government

vernment, are to be followed by other ordinary Officers; upon whom (by their deceaſe) the power and care of their acts, are devolved, though of an inferior order: *Timothy* was to imitate *Paul*; an Evangeliſt, an Apoſtle: and every Paſtor is to imitate theſe Evangeliſts, in ſuch acts, as are common to Evangeliſts with them.

Theſis, 12. All Presbyters being of the ſame Order, and that the higheſt of thoſe that are now in the Church, have by divine law, equal power in places where the Holy Ghoſt hath ſet them Paſtors and Biſhops, as to preach the word, and adminiſter Sacraments, ſo to do all other acts of government, when called, requiſite for the edification and perſervation of the Church; and the Biſhop, who is but *primus Presbyter*, made by man for Orders ſake, can rightly challenge no Monopoly, or ſole intereſt, but only a preſidencie, to guide, rule, and order that Presbyterie, wherein acts of juriſdiction are exerciſed, whether acts of ordination, or depoſition; binding, or looſing; excommunicating, or abſolving. This I prove by theſe reaſons:

Argument, 1. Thoſe who are truly and equally the ſucceſſors of the Apoſtles, in ordinarie, and neceſſary acts of the Miniſtry; to thoſe by their office, belong all the acts of juriſdiction, that are neceſſar, and ordinary acts of juriſdiction: But Presbyter-Biſhops are ſuch ſucceſſors of the Apoſtles; *ergo*. The *Major* is clear of it ſelf; the *Minor* I prove thus: Paſtors are truly, and equally ſucceſſors of the Apoſtles, in neceſſary and ordinarie duties of the Miniſtry, as appears *Epheſ.* 4. 11. Apoſtles, Prophets, Evangeliſts, Paſtors. The three former were extraordinarie, temporary, and ceaſ'd; ſo the Paſtor muſt be the ſucceſſor, if they have any: But Presbyter-Biſhops ſet over the flock by the Holy Ghoſt, to feed it, are equally and truly Paſtors: *ergo*. The *minor* is clear, from the definition of a Paſtor, which is an officer ſet over the flock of God, to feed it, *& definitio competit omni, & eſſentia non variatur gradibus*. See Acts 20. 28.

Argument, 2. Thoſe that by divine law are equall in the power of order, thoſe are equal in the power of government, or juriſdiction. All Presbyters, firſt and ſecond, are equall in power of order; *ergo*. For the *Minor*, that all Presbyters are

equal in the power of order; it may appear by the definition of the power of order: the power of order (saith *Field*) is that, whereby persons are sanctified, and inabled to the performance of such sacred acts, as other men, neither may, nor can do; as is the preaching of the Word, and administration of the Sacraments.

Lib. 5. of the Church, *cap.* 27

See *Field* of the Church, *lib.* 3. *c.* 39.

Now all Presbyters, as *Field* confesseth, are equal in the power of Order; yea, not only he with other Protestants, but many School-men, and other Papists also, as he there shews: *For every Priest* (saith *Durand*) *in regard of his Priestly power, may minister all Sacraments*; *ea quæ sunt ordinum*, (saith *Aureolus*) *omnes recipiunt immediatè à Christo: ita quòd in potestate nullius, imo nec Papæ est, illa auferre: in* 4. *sent. Dist.* 24. *Art.* 2. Sect. *tertia ratio* &c. And this also appears, because they must all sit under the same title of Pastors, *Ephes.* 4. 11.

For the *Major*, I prove it thus. Power of jurisdiction is, indeed, but a branch of the power of Order. A man by the power of order, is made a Minister of Christ, and so consecrated to serve Christ, in all ministerial services required of such a Minister of Christ.

Now these services are to edifie the Church, either by food, or physick; to further their salvation by word, or rod of Discipline: Now both these being ministerial acts and orders, making a man a Minister: hence it follows, that they that are equall in orders, *in actu primo*, in regard of power when they have a call, are equally inabled to the exercise of discipline, or jurisdiction, as well as preaching, and consecrating Sacraments, both being acts of that office, to which he is advanc'd by orders. And thus much *Field* doth, ina manner confess: *Three things* (saith he) *are implyed in the calling of Ecclesiasticall Ministers. First, An election, choice, or designment of persons, fit for so high and excellent imployment. Secondly, the consecration of them, and giving them power and authority, to intermeddle with things that pertain to the service of God; to perform eminent acts of gracious efficacy, and admirable force, tending to the procuring of the eternal good of the sons of men, and yield unto them whom Christ hath redeemed*

redeemed with his moſt precious blood, all the comfortable means, aſſurances, helps, that may ſet forward their eternal ſalvation. Thirdly, the aſſigning, and dividing out to each man, thus ſanctified to ſo excellent a work, that portion of Gods people, that he is to take care of, &c.

Now here plainly, under aſſurances, means, and helps to ſet forward ſalvation, acts of Diſcipline muſt needs be contained, 1 *Cor.* 5. 5, 6. and this flows from power of order, as its habit is, *actus primus*, induing a man with power.

* Now to ſtreighten the Presbyter in this act of his orders, he hath recourſe to that feeble ſhift; *That the Biſhop only is Paſtor, and the other Presbyters are but, as it were, curates under him*; which if true, it is enough to make a Biſhop deſpair, as well as a Presbyter to be deſpiſed: for how can he diſcharge the cure of ſouls in an hundred miles circuit? But the contrary is evident, in the Presbyters of *Epheſus*, *Acts* 20. 28. the Holy Ghoſt had placed them Biſhops, to feed the flock of God: Neither is his objection, from the Angel of the Churches, *Rev.* 2. 3. weighty; for if there be not a *Synechdoche* in the word Angel, which *Rev.* 2. 10. *Some of you*, &c. ſeems plainly to manifeſt: yet its clear, he had only a priority of order, not of charge: And the prioritie of order, was ground enough for directing to him, what belonged to, and was communicated to all; as now it is to any temporary preſident of a Claſſis; or as the things that concern the whole Houſes, are directed to the Speaker of either.

The ſame is plain of the Elders of *Alexandria*, whoſe ſuperintendent had no other charge from God, but only a precedencie of honour, and order, from themſelves: Beſides, all Presbyter-Biſhops ſet over charges by the Holy Ghoſt, are of thoſe Paſtors, *Eph.* 4. 11. And I hope, no modeſt learned man, will think that any Preſident or Biſhop, then, was the ſole Paſtor; or that theſe Presbyter Biſhops, ſet over the flock, by the Holy Ghoſt, could not act in their Miniſtr, without leave of him: and therefore thoſe rules of reſtraint, mentioned in Fathers and Counſels, were but invaſions on the liberties of Presbyters, who had their cures, not from the Biſhop, but from the Holy Ghoſt.

* There is indeed, this difference between acts of juriſdiction, & other acts of order; the one every Presbyter may do alone; the other only in a Presbytery. So impoſition of hands, 1 *Tim.* 4. 14. was in, and by the Presbytery; ſo cenſures, 2 *Cor.* 2. 7. by many. But a Miniſter may preach, baptize, adminiſter the Lords Supper alone; and this was the uſe of the ancient Churches, who had their Presbyters, mentioned both in Scriptures, and Fathers.

Argument, 3. To whom the keys of the Kingdom of heaven are equally given; they have equall power of jurisdiction: but to all Presbyter-Bishops, the keys of the Kingdom of heaven are given, and equally given: *ergo*. The *Major* is clear; for the keys of the Kingdom of heaven contain all jurisdiction; that's without all question. and the Apostles are hereby usually proved to be equall in jurisdiction, because the keys were equally given to them.

For the *Minor*; the keys are appendants to the office of the Minister. The Apostles with mission had the keys, *John* 20. and so the confession of the Church of *England*, agrees harmoniously with the rest in this, *that the power of the keys is equally in all Ministers, Harmon. of conf. chap* 18. *p.* 362. So at the ordination of a *Presbyter*; *the key of Discipline was given to the Presbyter, as well as that of Doctrine, in the Church of* England. And if there be an equalitie in that order, whereof the keys are an appendix, they must have the appendix following in equality likewise, that are equal in that order.

Argument, 4 That to which a man hath right, and, in acting, is restrained only by custom, novell constitutions or Ecclesiasticall Canons, that, by Gods law, he hath equal right to with others. But Presbyter-Bishops are restrained from, or limited in acts of government, (to which they have right) only by custome, novell constitutions of Emperours, or Ecclesiasticall Canons: *ergo*, *Jure Divino*, power of government is in them equally with others.

For the *Minor*, that they have power of government, I have formerly proved, because it is an act of their office: for the exercise of it, sometimes in ordination, *Paul* witnesseth, 1 *Tim.* 4. 14. and for government, *Jerome* gives clear testimonie: *Ecclesia olim communi Presbyterorum regebantur consilio; and they did consecrate their Bishop in* Alexandria, *from St.* Mark, *to* Heraclas, *as he witnesseth*. So did they ordain with the Bishop; and without the Bishop, the *Chorepiscopi*, & the City *Presbyters*, till inhibited by the Counsell of *Ancyra*, held in the beginning of the fourth Centurie. *Panormitanus* is expres: *olim (inquit) Presbyteri in communi regebant Ecclesiam*,

cleſiam, & ordinabant ſacerdotes, & pariter conferebant omnia Sacramenta, in lib. 1. decret. de conſuet. cap. quarto. Here is the right and practiſe aſſerted. Now, for prohibitions, if any, out of the word ſhew them; for the Fathers, they declare what the cuſtome was in their times. Counſels and Emperors made laws only, limiting power to prevent inconveniences; and as *Jerome* ſaith, *contra Luciferianos*, many reſervations were made, *potius ad honorem ſacerdotii quàm ad legis neceſſitatem.* * And therefore I conclude, the power of government, of binding and looſing, and of ordination, is by divine right, an appendant to the office of a Presbyter-Biſhop: and as there is no proof for, ſo no need of your Apoſtle-Biſhop: And ſo the chief corner-ſtone of your whole Book, which you relate to, from chapter to chapter, is found but untempered mortar, that is crumbled away when it comes to hard canvaſſing, and your building muſt down with it.

* *Decreto Hiſp. Synodi 2. Presbyteris quibus cum Epiſcopis plurima miniſteriorum, communis eſt Diſpenſatio (edeitur) ut quadam novellis & Eccleſiaſticis conſtitutionibus, ſibi prohibita noverint, ſicut Presbyterorum, ac diaconorum, & virginum conſecratio, &c.*

We are indeed, much preſt in this queſtion, with the authoritie of *Fathers*.

But I ſay, firſt, the moſt ancient, (as is to be ſeen in *Blundell*)* ſpeak but of two orders of Goſpel-Officers in their time, which they ſometimes call *Biſhops and Deacons*; ſometimes Presbyters and Deacons: Only *Ignatius* is urged, as a great friend of Biſhops; but indeed he is too great a friend, for he doth ſo far exceed in his expreſſions, and ſo differ in that, from other writers of his time; that for that, and many other things, all, or the greateſt part of his Epiſtles, lie under great ſuſpition of ſubornation, or corruption, *vid. Blond. Apol. pro ſanct. Hieron, & Cooks cenſura patrum.*

* *Apol. pro ſententia Hieron.*

Secondly, the moſt rationall of the Fathers, as *Hierome*, and *Auguſtine*, have witneſſed, (not ſpeaking *obiter*, or *popularly*, but *purpoſely*, giving their judgment in the thing,) that the difference between Biſhop and Presbyter, is the iſſue of cuſtome and uſe, not divine inſtitution.

Thirdly, the *Fathers* generally, give the Biſhop but a *Preſidency*, not a *Monarchy*, in juriſdiction: They aſcribe to him a *Presbyterie*, in which, and with which, he was to ordain, and cenſure; and without which, he was not to act in theſe things.

things. And this plainly enough ſhews, that the Biſhops Prelidencie was but for order ſake, not that power reſted only in him; for that power that is reſtrained by Divine ordinance to one order, may not be interpoſed in by another; * the Levites might not joyn with the Prieſts, in offering ſacrifice, becauſe it was a particular above their ſphear, appropriated to the Prieſts; which neither in the abſence of the Prieſt, nor by his leave, or commiſſion, a Levite might do: But we know, at firſt, ordination was in the City and Country Presbyters, and forbidden them only with a *Proviſo*, unleſs they had the conſent, or commiſſion of the Biſhops; which prohibition, doth plainly ſhew, that before they were uſed to ordain without him, and after might with his leave.

See *Forbeſii. Iren. p.* 180. where he diſputes againſt the Papiſts thus: *Quòd miniſterium ſolis Epiſcopis à Chriſto tributum eſt, id non poteſt Papa &c. committere Presbyteris. At miniſterium conferendi ordines poteſt Papa, &c. committere Presbyteris. Ergo, &c.*

Fourthly, the Fathers differ more from the high Prelatiſts, then from the Presbyterian: For the Presbyterian alwaies have a Preſident to guide their actions, which they acknowledg may be perpetuall, *durante vitâ modò ſe bene geſſerit*; or *temporary*, to avoid inconvenience, which *Bilſon* in his preface, (and again, and again, in his book of *perp. gover.*) takes hold of, as advantageous, becauſe ſo little diſcrepant; (as he ſaith) from what he maintains: but now the high Prelatiſts exclude a Presbyterie, as having nothing to do with juriſdiction, which they put as far above the ſphear of a Presbyter, as ſacrificing above a Levites; to wit, an act reſtrained to an higher order: whereas the Fathers acknowledg a Presbyterie; and in divers caſes, Counſels tye the Biſhop to do nothing without them; and ſo its clear, the high Prelatiſts are at a further diſtance from the Fathers, then the Presbyterians.

Fifthly, for that, wherein we differ from the Fathers, we have the Plea of one of the moſt judicious of the Fathers, *Auguſtine*, who being preſt with the authoritie of *Cyprian*, anſwers *lib. contra Creſſcon. 2. cap.* 32. *His writings I hold not as Canonicall, but examine them by the Canonicall writings: And in them, what agreeth with the authority of Divine Scriptures, I accept with his praiſe; What agreeth not, I refuſe with his leave.* This is our apologie, in diſſenting in this thing from

from ſome of the Fathers; wherein you ſee we follow a *Father*, and in that wherein *Bilſon* makes uſe of him, to put off the authorities of ſome learned men of his age; and adds, *God ſuffers the beſt of men to have ſome blemiſhes, leſt their Writings ſhould be received as authentique. p.* 15. 2.

Laſtly, if we differ from the Fathers in point of Prelacie, (wherein our opponents are in no better terms with them, then we;) yet I would have them to conſider, in how many things we jump with the Fathers, wherein many of them have been diſſenting, both in opinion, and practice; as touching promiſcuous dancing, eſpecially on the Lords day. 2. Touching reſidency of Paſtors in their Churches, which excludes alſo pluralities. 3. Frequencie and diligence in preaching. 4. Touching the abuſe of health-drinking or drinking *ad æquales calices.* 5. Touching Biſhops not intangling themſelves with ſecular affairs, or buſineſſes of State, in Princes Courts. 6. Touching gaming at Cards, or Dice, and ſuch like, ſo that they can with no great confidence triumph in the Fathers, againſt us, in this one point, (wherein themſelves alſo are at a diſtance from them) while we keep cloſer to the Fathers, then they do in many others.

And thus; (Doctor) I ſhall leave it to the judgment of the indifferent reader, whether Apoſtle-Biſhops be not a meer fancy of your own framing; and indeed, now, there be no other but Presbyter-Biſhops; one of which for Eccleſiaſtical cuſtome, for pious ends. had ſome power added to his Preſidency, for order, which afterwards degenerated into tyranny.

CHAP. IV. PARAG. 4.

Wherein is ſhewed the impertinency of the Doctors ſixth chapter, againſt perjury, which the Author of the Caſe deteſts as much as he.

TO come now to your 6. Chapter, where you propoſe the queſtion, " *whether the King, without the impeachment* " *of his Oath at his Coronation, may conſent to the abrogation* " *of Epiſcopacie?* And then tell us, *Parag.* 1. *This queſtion* " *hath two branches*: 1. *Whether a Chriſtian King be bound* " *to keep his oath?* 2. *Whether he may not*, &c. But did not your eyes dazzle, when you made this diviſion? Did I ever queſtion, whether the Kings oath was obligatory, ſo far as it was lawful, and in that ſence that it was intended? and ſo diſpute, whether the ſence of it were not the ſame of that with the people, that ingageth only till alteration by conſent in Parliament? Did not I expreſs in the preface, that unleſs it did appear, that abrogation of Epiſcopacy might ſtand with the ſence of the oath, the King ought not to conſent? how falſly do you then affirm, that I perſwade the King to break his oath? and how uſeleſs is this whole chapter? either taking for granted, what is not proved, that Epiſcopacy is a truth, and ordinance of Chriſt; or proving what is not in queſtion, that oaths are to be kept, perjury to be avoided; wherein you are ſo vehement, that you fall into rank anabaptiſtry: pag. 34. " *aſſerting, that oaths there-* " *fore muſt be avoided, leſt we fall into condemnation*; as though all oaths were unlawfull, for fear of perjury. You do alſo admixe ſo many foul and bold ſlanders, uttered with ſuch bitterneſs, and ſuch evident falſeneſs, that any but a partial reader, will deteſt them; and therefore I think them unworthy any anſwer.

Heriot anſwer to Doctor *Fern.* p. 3.

If I had ſaid as that Court-Preacher, " *that the King is* " *not bound to keep any oath he took to the people, to be ruled* " *therein*

" *therein by law. His oath was but a piece of Coronation-*
" *ſhow, he might take it to day, and break it to morrow*, &c. On ſuch a man, you might have ſpent ſome of your zeal againſt perjury; but to me it is impertinent, as the judicious reader ſhall plainly ſee, by that which follows now to be ſet down, out of the Caſe reſolved, which ſuppoſes the oath ought to be kept, and only enquires after the true ſenſe, and intention of it; and this may ſatisfie this impertinent chapter.

The Caſe Reſolved.

THe uſual way of clearing this aſſertion, is thus: The King is ſworn to maintain the laws of the Land in force, at his Coronation; yet no man queſtions, and the conſtant practice ſhews, that it is not unlawful after, to abrogate any, upon the motion, or with the conſent of his Parliament: The meaning of the oath, being known to be, to maintain the laws, while they are laws: but when they are abrogated by a juſt power, in a regular way, they are then wiped out of his charge and oath. So the King by his oath, is bound to maintain the rights of his Clergie, while they continue ſuch. But if any of their rights be abrogated, by juſt power, he ſtands no longer engag'd to that particular.

And this I conceive, to be a ſound reſolution: For the Kings oath is againſt acting, or ſuffering a tyrannous invaſion on laws and rights, not againſt a Parliamentarie alteration of either. But here ſteps in my firſt opponent, and though he diſputes modeſtly, onely propoſing, what he holds forth, to ſerious conſideration; yet he objects ſubtilly, and his Diſcourſe runs thus. *The oath for maintenance of laws, is made* Populo Anglicano, *to the people of* England, *and ſo may be taken off by a future act, becauſe it is by their own conſent, repreſented in Parliament. But the oath to maintain the priviledges of the Clergie, is made to ſuch a part of his people,* Clero Anglicano, *and particularly taken by him, after his oath to the whole Realm, which were needleſs, unleſs it meant ſome other obligation. This ſeems* (ſaith the learned Author) *to*

A nameleſs Author in a Book, impleading all War againſt the King

make it a distinct obligation, and not releaseable, without the Clergies consent.

I answer, taking it for granted, that the oath is thus taken by the King; That oath was so framed, when (*Clerus Anglicanus*, was a distinct Societie or Corporation, (as I may so say) *à populo Anglicano*, from the people of *England*.

This distinction, between the Clergie and Laytie, we may observe in our Historians. *Daniel*, in the life of *William* the first, gives this for a reason, why the Clergie did so willingly condescend to him, because they had their Province a part, whence they supposed a security to their priviledges, how ever the Laytie were inslaved. The same distinction of the Clergie and Laytie, is observed by him in the life of *Henry* the second, *pag.* 83. And this was not onely in *England*, but other Nations. *Secularium petentes fastigia, in legum lationes seorsum ab alijs quæ civium universitatis proruperant, Omnem Clerum ab hinc decernentes exemptum. Civile schisma & principatum supremorum pluralitatem inducentes ex ipsis quam velut impossibilem humanæ quieti certam hujus inducentes experientiam demonstravimus*, 1701 *Marsil Patav. defens. pacis, part.* 2. *cap.* 23. Now being the Clergie and Laytie were distinct bodies, the Clergie holding their rights, by priviledge distinct from the laws of the land; an oath to maintain the laws of the land, secured not them: But as another body, they had another oath for their securitie. But now this distinction of the Clergy, from the Laytie, that they should be a distinct Province of themselves, being a branch of Poperie, is with it quite extinguisht. And Laytie and Clergie are now one bodie politick, and under the same rule; for all priviledges of the Clergie, that are contrariant to the laws of the land, were aboliſht in the raign of *H.* 8. As undoubtedly that was, that any Society should be exempt from secular power; for that was to set up two Supremacies. And therefore, though the oath be continued in that order that it was, when the Laytie & Clergie were distinct bodies; yet now, that this distinction is abrogated, and they are made one, the oath to the Clergie cannot be stronger, or more inviolable then that to the Laytie, for the preservation of the laws

of

of the land, both ſubject to regular alteration. Thus far the caſe.

CHAP. V. PARAG. 1.

Shewing, that the Clergies rights are as alterable, by King and Parliament, as the Layities; in anſwer to Doctor Boughen's 10. *Chapter.*

HEre you invert the method I went in, but without juſt ground; for I followed the Authors I anſwered, in that order, in which they came out in publike. and to that I ſhal hold you; and therefore, now I muſt come to the 10. Chapter, reſerving the ſeventh, eighth, and nineth, to their due place. In your tenth Chapter, you'r hard put to it, and make a great noiſe to little purpoſe, Firſt,

Parag. 1. You make an inference, and quarrel with it. "*Its lawful for the King to abrogate the rights of the Clergy.* "ergo, *He may aboliſh Epiſcopacy. Its for all the world, as* "*if one ſhould ſay, Its lawful for the King to take away the* "*rights of Lawyers,* ergo, *He may alſo take away Judicature.*

But you are bad at Paralels, for there may be Eccleſiaſtical Judicatures, without your Biſhops; which are but the iſſue of humane cuſtome, as *Jerom* tels you.

Then *Parag.* 2. You raiſe a fort againſt a fort. "*Its* "*lawful for the King to abrogate the rights of the Clergy, it is* "*therefore lawful for him to abrogate Presbytery.*

I anſwer, we ſpeak not here of lawfulneſs in general, but with relation to the Kings oath; and ſure, you do not think, that I conceive, the Kings oath makes it unlawful for him to abrogate Presbyterie, that is, Presbyterial government. But for what you ſay, touching the order of resbyters, *parag.* 3. and the order of Biſhops; there, I muſt tell you, that the King cannot take away the one, becauſe, all confeſs it to be an Ordinance of Chriſt: But for that of Biſhops, its an ordinance

dinance of man, as I have proved, and so alterable. Your fourth and fifth Paragraphes, arae digression from this Question.

Parag. 6. You say "Well, *bound he is by his oath to main-*"*tain the laws of the land, while they are laws*, &c. *But how* "*long are these laws in force? till abrogated by just power in a* "*regular way*. To this you subscribe, adding, *but the just* "*power is in his Majestie, by your own confession, to maintain and abrogate laws.*

I Answer, If, by power to abrogate laws, you mean, that they cannot be abrogated without him; I confess it: but if you mean it, as sometime you seem to import it, that it is in his power, without concurrence of others, I may well deny it; because he doth not assume to himself such power. Your 7, 8, 9. *parag.* I shall let pass, as having nothing of consequence to the case in hand, though they contain some extravagant expressions.

Parag. 10. You examine my words, "*that if any of the* "*Clergies rights be abrogated, by just power, he stands no longer engaged to that particular.* Here you quarrel for want of adding, just *power in a regular way*, which was not excluded, but included in my expression; and your self confess, *parag.* 12. when you say, "*just power goes alway in a regular way.* But you think I left out that expression, in a regular way, because I am not able to set down a regular way, wherein the Clergies right may be abrogated.

Sure you are deceived; for that is the regular way, wherein all their canonical priviledges, that are contrariant to the laws of the Land, are abrogated, that is, by the King, and Houses of Parliament. See then how childishly you trifle, *parag.* 10, 22. And with as little reason, do you break out, *parag.* 13. "*What? a Clergie-man, and a Preacher of the* "*Word of God, and altogether for ruine and destruction?* Surely this is your corrupt gloss; I am for paring off that which is humane addition, that the Ministerie which is of Gods institution, may be more free, and shine more bright; and this too, to deliver the King and Kingdom, from a destroying war. Is this to destroy or preserve? Let the Reader judge.

And

And therefore for your impertinent reviling from *Corah* and *Judas*, they will but reflect ſhame on your ſelf; neither do I detract from my office, when I bring Miniſters into the ſame rank with other Subjects, in regard of their humane, and alterable honours or priviledges; for I ſpeak of none other.

Next, *Parag.* 14. You aſk, "*What rights of the Clergie* "*I would have abrogated.* An idle queſtion, to raiſe an *odium*; the queſtion being in general, whether, as the laws that concern the rights of the Laytie, may be altered by King and Parliament, without breach of his oath; ſo alſo the laws that concern the rights of the Clergie, be alterable by the ſame power.

As impertinent, falſe, and abſurd is your reply, *Parag.* 15. "*that I argue from any rights of the Kingdom, to all the rights* "*of the Clergie*; when the ſame ſign, *any*, is uſed in both places, as your ſelf ſet it down but three lines before. The Star-chamber, and high Commiſſion Courts ſtood by law, yet theſe were aboliſht; ſo may Biſhops and their Courts, and yet ample liberties, and immunities may belong to the Clergy, and as uſefull to the Church of God, and more ſuitable to his Word, as hath been ſhewn; and therefore your queſtion. "*whether it be lawful to take away all that the* "*Clergy hath?* is meerly to make ſhew of ſaying ſomething, when indeed you are deſtitute of a rationall anſwer: for do I infer, that the King may take away all that the Clergy hath? or only ſuch particulars, as upon conſideration, to him, and his Houſes of Parliament, ſeem inconvenient? let the reader judge.

Parag. 16. But you ſay, "*it cannot be done by a juſt pow-* "*er, becauſe juſtice gives every one his own, according to* "*Gods command, Render to every one his due.* Good Doctor, doth this prove any more, the injuſtice of altering laws, concerning Clergy then concerning Laity? are not their laws, their rights and inheritances? but with this *proviſo*, that they may be judged on by Parliament, whether convenient or inconvenient; and accordingly, either continue, or receive repeal, with the conſent of the King, and no wrong done? for the laws are but their due, with that reſtriction; ſo the caſe

caſe is with the Clergy, till you diſprove it, which though you would fain do, yet for ought I ſee, you are at your wits end, by your fillings up, *parag.* 17 18. with ſuch things as contain nothing towards an anſwer, but ſomewhat to confirm my aſſertion out of *Auguſtine*, "*charity prefers publique good before her own private intereſt*: So ſome priviledges of the Clergy are to be ſubmitted by them to publike intereſt, promoted by peace and union.

At laſt, you come to ſay ſomething to the purpoſe "*that* "*the only regular way to abrogate any of the rights of the* "*Clergy, or Laity, is at their own motion, or conſent made,* "*and delivered by their repreſentatives in Parliament, or con-* "*vocation.* Is this true, in the general? was it true of the abrogation of the Popes Supremacies, and ſuch like immunities of the Clergy? as their Sanctuaries for criminall offendors, &c. could not there be an alteration of theſe, regularly attempted, without it had proceeded from the repreſentative of the Clergy? Sure then, I doubt, they had ſtood much longer then they did, to the prejudice of the Church and kingdom.

Reaſon it is, I confeſs, that if any of their Priviledges be in queſtion, that they ſhould be heard, and their reaſons weighed; but if, after all they can ſay, it appears to the King and Parliament, that ſome priviledg of theirs is inconvenient to weal-publique, it may be altered without them, if they be froward; and yet we allow them the priviledg of ſubjects; for all other ſubjects have their priviledges thus ſubjected to the wiſdom of king and Parliament; and yet this no tyranny, but good and needfull policy: and ſo alſo 20. & 21. *parag.* which are the laſt of this chapter, are anſwered.

CHAP.

CHAP. V. PARAG. 2.

Wherein is ſhewed, that the diſtinction that is between Clergy and Laity, and their priviledges in this Kingdom, hinders not, but the priviledges of the one are alterable by King and Parliament, as well as of the other, in anſwer to Doctor Boughens 11. *Chapter.*

IN your 11. Chap. *Parag.* 1. You ſay, " *to grate the very* " *bones of the Clergy; (I tell you) that this oath was ſo* " *framed, when the Clergy of* ngland *was a diſtinct ſociety,* " *or corporation from the people of England.* I do ſay indeed, that the Clergy, and Laitie, were diſtinct Corporations, but not for that end, that you mention, to grate the very bones of the Clergy, but to deliver the laborious Clergy rather from that tyrannie, that they were not ſo long ſince under, by a few uſurpers, or abuſers of power; and I do not only ſay, but prove, that the Clergy and Laitie, were ſuch diſtinct corporations, as that they were under two Supremacies; and that I ſay, was popery; deny it, if you have the face: but firſt you ask, " *when this oath was framed*; which is but a cavill; ſith you know it was framed before *Henry* 8. in whoſe daies the Pope loſt his Supremacie here. We read of the oath before the Altar, according to the cuſtome in *William* 1. *Dan.* hiſtor. pag. 36.

But you ſay, " *his Majeſties oath is grounded on the word* " *of God, according to the promiſe, Kings ſhall be nurſing fa-* " *thers.*

I anſwer, the queſtion is not, whether the king doth well to maintain the rights and priviledges of the Church; he is bound to maintain the juſt rights and priviledges of Church and Laytie both: but the queſtion is, whether, as notwithſtanding his engagement to the Laytie; he may at the motion or (if it like you better) at the Petition of the Houſes, alter any law that concerns the people; he may not alſo,

ſo, on the like petition, alter what concerns the Clergie? therefore you muſt ſpeak to this, or you ſpeak not *ad idem*, and proceed by the fallacie, *ex ignoratione elenchi*. I would have you alſo know, the *Biſhops* are not the *Church*; that is a Popiſh fancie. Church is otherwaies taken, in the note you touch *parag.* 3. even for the whole body of the Jews.

Parag. 4. You ſeem to oppoſe my aſſertion, that now the Clergy and Laytie are one body politique, but by a weak reaſon, "*Why then are the Biſhops thruſt out of the Houſe of* "*Peers?* as though every ſocietie of the body politique, were to have a party in the Houſe of Peers; neither were they thruſt out, as you uncivilly expreſs it, but excluded by a legal Bill.

After, *Parag.* 5. You confeſs, what before you made ſemblance to deny, "*that the Clergy are not a ſeverall and diſtinct* "*body, but a ſeverall ſtate, or Corporation, under the ſame* "*body*, which I willingly grant; but thence infer, if they be but a diſtinct member of the ſame body, then the heads of the body politique, under which they are, have the ſame power over them and their priviledges, as over the other part of the body, the Laytie. It is therefore needleſs, and uſeleſs pains to prove, that a Clergie-man, and others, may have diſtinct relations, *Parag.* 5. 6. 7. Who denies it? but its a falſe calumnie, that the Miniſters and Stewards of God are cut out of all; for the thing aimed at in this treatiſe, is but to reſtore to ſome of them, what others, without warrant from God, had uſurp'd from them.

Whereas you inquire *parag.* 8. "*If this diſtinction be-* "*tween Clergie and Laytie, be a branch of Popery?* You muſt add ſo diſtinct, as to be under two Supremacies, for ſo it was before *Henry* 8. and ſo its expreſt in my Caſe; and where I pray you, is ſuch a diſtinction expreſt, to be continued, ſince *Henry* the 8th? You cannot ſhew it; nor doth any thing that you bring, *Parag.* 8. or 9. conclude it: diſtinct they were, but not ſo diſtinct, but ſtill they and their priviledges, were under the power of the ſame Supremacie, as your ſelf confeſs, *Parag.* 10, 11. where your inſinuation againſt me, "*of ſet-* "*ting up two Supremacies*, is but a flaſh; for I ſhall ſhew in

the

the laſt Chapter, that the Supremacie I give to the Parliament, is not abſolute, but κατ' ἐξ, and two ſuch are not inconſiſtent, neither doth ſuch reſpective Supremacie, make the Parliament lawleſs, or ſubject to no power: and for your cloſing queſtion, "*Where then are the two Supremacies* "*that you erect?*

I anſwer, I affirm it was ſo, but now it is aboliſht, and ſo I charge not you with it; but infer, that being equally under one Supremacie, that one Supremacie hath equal power over the priviledges of both, which was the thing to be proved. Neither do I deny what you affirm, *parag.* 12, 13. "*That there are two diſtinct juriſdictions in our Land, under the ſame head*; Neither do I denie, *de facto* "*but a Biſhop by* "*the ſtanding laws, is regularly the Kings immediate Officer* "*to the Kings Court of Juſtice in cauſes Eccleſiaſtical*: But the querie is, whether this be ſo unalterable, that the King and Parliament may not put it to a companie of Presbyters? Which you have not yet diſproved. Whether covetouſnes, and ambition be more amongſt Prelates; then Presbyters, whom you accuſe, God muſt judge. But whether they be not like to reſt more among thoſe, that would ingroſs all, then among thoſe that would have juriſdiction, and maintenance divided, men may eaſily judge.

For what you ſay, *parag.* 14. of *Timothy* and *Titus*; I formerly proved them to be Evangeliſts, and what they had extraordinarie, to be ceaſ'd; what they have ordinary, to reſt in Paſtors, who are Presbyter-Biſhops, the higheſt ordinarie Officers. For that ſaying of *Cyprian*, *Eccleſia ſuper Epiſcopos conſtituitur*: I would have you reconcile it with that, 1 *Cor.* 3. 11. *Other foundation can no man lay, then that which is layd, Jeſus Chriſt.* We acknowledg *de facto*, in *Cyprians* time, that the acts of the Church were ruled by the Biſhops, but that, as *Jeroms* tells you, was by humane cuſtome, not Divine diſpoſition; nor was it without Presbyters, as you would have it: who therefore are as far from the government of his times, as we; what you quote after, may be but the heat of a Biſhop, to whom we oppoſe Saint *Jerom*, on *Titus* 1. and *Phil.* 1. What you cite out of *Ignatius*, is ſpoken,

as upon ſearch I finde, onely of that Biſhop, as he then ſtood *Orthodox*, in oppoſition to ſome curſed weeds, or *Hereticks* of the devils planting; but when the Biſhop was an *Heretick*, as you know in many places it often fell out, would they have been *bleſſed* or *curſed*, that held with the Biſhop, think you?

For what you add, "*touching the priviledges of Clergy*; For the moſt part, you falſly calumniate me, that I ſeek to ruine them; you know, I call the alienation of their means Sacriledg; neither do I envie any of their juſt priviledges; but this is that which I have in hand; whereas there be two ſorts of priviledges, ſome Divine, ſome humane, I queſtion onely whether thoſe humane priviledges, ſeparable from the offices appointed by Chriſt in his word, ſuch as the Monarchie of one above all other, may not upon adviſement, for the good of the Republique, admit of alteration, as well as Lay-priviledges? Therefore you ſlander me groſly in objecting, "*that I would take away all honour from the Miniſtery, that* "*the Scriptures by propheſie or precept have given to them.* But you, on the contrarie, egregiouſly abuſe the Scripture, in applying what the Scripture ſaith, by way of honour, or priviledg of the Miniſterie, that is, of Apoſtles, Prophets, Evangliſts and Presbyter-Biſhops, (which onely are the Scriptures Biſhops) to a few Dioceſans; Creatures whom the holy page never knew: And ſo you ſleight the generalitie of Paſtors, to exalt a few Lord-Biſhops.

Conſtantines affection was pious to the Miniſters of Chriſt. But the Biſhops he honoured ſo, were men of another condition then thoſe you plead for; they lorded it not in the Church, without the joynt help of their Presbyters in government. And further, if there were not ſome error of the times, in ſome of the honours which he gave; how came they ſo quickly to fall together by the ears for Primacie? And to give occaſion to that obſervation, *That when their Chalices were wooden, the Biſhops were golden, but the Biſhops became woodden, when their Chalices became golden.* Sure the general abuſe gives occaſion to ſuſpect ſome error in expreſ-

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ſion of thoſe affections. But I hope I have ſaid enough, to let the intelligent Reader ſee, how far that aſſertion that I maintain (to procure peace and ſafetie to Church and Kingdom, ready to periſh by an unnatural war) is from detracting from any juſt or uſeful reſpect, commanded, from the people to the Miniſters, if faithful; though the meaneſt Paſtours; which I know, and people will finde, God will reward as done to himſelf.

But one thing is not unworthy notice, in *parag.* 8. Where you ſay, " *Paul willeth the* Philippians *to receive* Epaphro-" ditus *their Apoſtle, or Biſhop, and alſo chargeth them to hold* " *ſuch in reputation.*

Conſider, I pray you, had not the *Philippians*, then, other ſuch as *Epaphroditus*? elſe why doth he give them charge of others of like quality? And may you not thence ſee, that *Epaphroditus* was no ſingular *Biſhop*, but ſuch an one as might have other *Presbyters* his fellows in like honours.

Caſe of Conſcience Reſolved.

WHo knows not, that one of the priviledges of the Clergie, was, for the Biſhops to ſit and vote in the Houſe of Peers? yet that is aboliſht, as incongruous to their calling. And then why may not the removall of their Eccleſiaſticall juriſdiction be conſented to, as well, if it prove inconvenient and prejudicial to the Church? The abolition of the one, is no more againſt the oath, then of the other.

CHAP. VI.

Anſwering Doctor Boughens *explanations for the removall of Biſhops out of the Houſe of Lords, in his* 12. *chapter.*

I Proceed now to examine your 12. Chapter, ſpent moſt upon the Theam, whether it be incongruous to the calling of Biſhops, to ſit and vote in Parliament? And here you are

are very paſſionate; but I muſt firſt tell you, your paſſionate follie falls more foul on King and Parliament, then me; for I do but render the reaſon given by them, in effect, in the very ſtatute.* The words are theſe; *whereas Biſhops and other perſons in holy orders, ought not to be intangled with ſecular juriſdiction (the office of the Miniſtery being of ſuch great importance, that it will take up the whole man;) and that it is found by long experience, that their intermedling with ſecular juriſdictions, hath occaſioned great miſchief and ſcandall, both to Church and State. His Majeſtie, out of his religious care of the Church, and ſouls of his people, is graciouſly pleaſed, that it be enacted; And by authority of this Parliament, be it enacted, that no Arch-Biſhop, &c. ſhall have any ſeat or place, ſuffrage, or voice, or uſe, or execute any power or authority, in the Parliament of this Realm.* Now, hath my phraſe done any more, then expreſs the reaſon given for abolition in this Statute by King and Parliament? while therefore you rave ſo at me, doth not all more properly light on them? I may therefore ſay, as ſometimes *Moſes*, who am I? Your murmurings are not againſt me, but againſt king and Parliament.

* *Anno* 17. *Car.* K. An act for diſabling all perſons in holy Orders, to exerciſe any temporall juriſdiction or authority.

But you queſtion, "*whether they were not thruſt out to* "*make way for theſe civill broyles? The Incendiaries knew* "*well enough, that thoſe meſſengers and makers of peace, would* "*never have paſſed a vote for war.*

I anſwer, they ſhould be makers of peace, but have they been ſo indeed of late? I pray, who occaſioned the war by Liturgie, illegally put upon the *Scots*, but Prelates? who put on the king, to raiſe an Army againſt them, more then Prelates? You know * who called it, *Bellum Epiſcopale*, Who put on the king to break his firſt pacification with the *Scots*, but Prelates? Then oaths were no ingagements with them, when againſt Prelates: But now the kings oath muſt be cryed up, to keep them up: but you ſhould remember, *Quicquid ſit propter denm, ſit æqualiter*; which hints the hypocriſie of your pretences, of tenderneſs of an oath in this caſe, if you had not the ſame tenderneſs in the other caſe.

* Biſhop *Bath* and *Wells*, to excite his Clergy to contribute.

Then *Parag.* 2. You tell an Apocrypha tale, "*of the out-*

"*cries*

" *cries of ſome Clothiers, that occaſioned the making of that* " *ſtatute*, as though men would believe your traditional tale before the expreſs words of king and Parliament, contained in the act.

Parag. 3. 4. You inquire, " *Why it is incongruous to the call-* " *ing of Biſhop, to ſit and vote in the Houſe of Peers: and raiſe* " *imaginary reaſons, and confute them, looking over that in the* " *ſtatute: That Biſhops and other perſons, in holy orders, ought* " *not to be intangled in ſecular juriſdiction*; and this is grounded on Scripture, 2 *Tim.* 2. comparing v. 4. & 7. and more expreſly ſpeak the Apoſtles; (and you make Biſhops Apoſtles) *It is not reaſon we ſhould leave the Word of God, and ſerve tables*, οὐκ ἀρεστόν. *Beza*, and the vulgar, *non eſt æquum*. See how the grounds mentioned by king and Parliament in the ſtatute, are grounded on Scripture. Act. 6. 2.

But Parag. 5. You would prove, " *that there could be no* " *incongruity between their calling, and voting in the Houſe of* " *Peers, by Scripture: For then Melchizedeck, that was both* " *King and Prieſt, had never been a type of our Saviour.* It doth not follow; for he was therefore a type, to ſhew, that Chriſt ſhould be both king and Prieſt, but his kingdom was not of this world; he would not intangle himſelf with the affairs of this life, and divide inheritances.

Again, you bring the example of *Moſes and Eli*, " *Who* " *were extraordinary perſons*, as though God doth not things extraordinarily, that are incongruous ordinarily, as to make *Deborah*, and *Huldah*, Propheteſſes. " *But Joaſh thrived ſo* " *long, as he followed Jehojada the high Prieſt*: as though a good Biſhop cannot give good counſell to a king, unleſs he ſit and vote among Peers. You tell us alſo, " *how ſome of our* " *Kings proſpered by their Counſels.* Is it not as eaſie to tell you, of a Biſhop that preached, *my head aketh*, to uſher in the dethroning of a king? to tell you how *R.* 2. was undone, by the politique counſell of the pious Biſhop of *Carliſle*? which ſhews, that uſually the beſt Biſhops, are the worſt States-men.

Parag. 6. You add, " *a wonder it is, that my faction ſpies* " *this incongruity, which was never diſcerned by the wiſeſt of*

" *our*

"*our fore-fathers.* See you not, how you call king and Parliament a faction, whose sense I expresse? If I had been so rude, what out-cries should we have had of blaspheming, and spitting in the face of authority? Of the same nature are other your foolish arguings. *parag.* 7. 8. "*about the Writ of* "*summons to Parliament*; as though the Supremacie being in king and Parliament, they cannot change the state of the Parliament, and so of the writ. And therefore all your strange language, doth not only question the integrity of king and Parliament, in their expression, and their wisdom in making; but their power in performing; which insolency, whether it deserve words to answer, let the reader judg; and this same answer will also take off your 13. parag.

What you say, parag. 9. touching "*the sufficiency of* "*Bishops for this work*, is not of validity to infer the conclusion, which you would have, are they more able to vote in Parliament, then the Apostles to serve tables? have they not a sphear, as Ministers, that will swallow up all their abilities? why should they then, any more then the Apostles, leave their spiritual work for secular imployments?

What you add touching *David*, parag. 10. "*that he err'd* "*for want of the presence and advice of the Priests, and suffer-* "*ed*; *but after he calls for the Priests, and acknowledgeth his* "*error*, &c. This is true, and yet withall, his fault was not in not having the Priests, at first; but not using them as he should: they drove the cart whereon it was, instead of carrying it on their shoulders; neither is it mentioned, that they discovered the error to him, but he to them, having it, as it seems, by divine revelations on his humiliation and prayer, 1 *Chron.* 15. 2.

But may there not be the Counsell and advice of Divines, to a Parliament, in matters of God, unless they sit and vote with Peers, in matters secular? May they not in a Convocation, or Assembly, advise in matter of religion, where they shall keep the sphear of Divinitie, and meddle with nothing Heretogeneal to their calling? So your reasonings, parag. 11, 12. are too weak to infer votes with Peers.

For your statute, Parag. 14. I know not what to say to

it, becauſe I know not where to finde it. But do you bring this to involve this king and Parliament under a curſe? and blame me for a moderate and neceſſary expreſſion of *vinculum iniquitatis? Turpe eſt Doctori*, &c.

What you ſay, *Parag.* 15. "*Of the benefit of good Biſhops,* "*as Miniſters of the Goſpel*: I aſſent to it, but neither of the places ſpeak, as having them Miniſters of State. A King and Parliament may have the bleſſing of faithful Biſhops, by their preaching and prayers; without their votes and preſence among Peers: yea, more then with it, for that uſually makes them too great, to preach in ſeaſon and out of ſeaſon, as *Timothy* was to do, 2 *Tim.* 4. 1, 2. But you are miſtaken, when you ſay, "*that the Prieſts are, in Scripture, called* "*the horſe-men of Iſrael, and the chariots thereof*: For that was ſpoken of Prophets, not Prieſts, *viz.* of *Elijah* and *Eliſha*.

Parag. 16. You argue "*Alogically, the King can have no* "*Subſidies granted without them, becauſe none hath yet been* "*granted; a non eſſe ad non poſſe non valet argumentatio.* As ill do you abuſe the Scripture againſt the King and Parliament, as Removers of bounds, who have rectified it, confining Clergie men to their own ſphear, *Divinity*; leaving ſeculars to ſecular-men: therefore your curſe cauſeles ſhall not come.

To *parag.* 17. I ſay, I delivered not *ex tripode*, but out of the marrow of the act it ſelf, that the votes of Biſhops in the houſe of Peers was taken away, as incongruous to their calling; and I infer nothing elſe to be taken away, unleſs it ſeems good to King and Parliament; whoſe wiſedom and conſcience, I dare far better truſt then yours; and you abuſe your Reader, to ſay, *I argued from the bare fact*, when I argue from the fact, with its ground, to the like, on the like warrantable ground. And that the abolition of the one, is no more againſt the Kings oath, then the other, which you confeſs; yet you ſay flatly, 123. *If the King yield to let down Epiſcopacy, he breaks his oath*; what then do you lay to his charge, implicitly, in conſenting to the abolition of their votes, but perjurie? Is this you that can calumniate

others without cauſe, as ſpitting in the face of authoritie, and yet do this, and preſent it to the King himſelf, to read his own doom?

But you "*diſtinguiſh between priviledges, that are the* "*grants of God, and ſuch as are of the favour of Princes, ſuch* "*as ſitting and voting with Peers.*

The diſtinction is good, and helps to clear what I intend; that the King may alter the Prelacie in queſtion, which is but the gift of Princes, not God. See the erudition of a Chriſtian man, on the Sacrament of orders. And Princes may revoke their own grants: but "*for that juriſdiction,* "which you ſay, *is a grant of God*; I confeſs it is: but by him ſetled on Paſtors, the higheſt degree of Church officers now; and thoſe are Presbyter-Biſhops; and therefore the ſetling of it on them in general, is but reſtitution, no donation of any thing new to the Presbyters, nor unjuſt detraction from the Biſhops, who had without the grant of God, ingroſt all power into their own hands.

Caſe of Conſcience reſolved.

AGain when this oath was framed, the Church was indued, by the ignorance of the times, with divers unlawful immunities; in all which reſpects the oath was invalid, being *vinculum iniquitatis*; and ſome were pared off, as light ſhined forth. And why may not the great revenues of the Biſhops, with their ſole juriſdiction, in ſo large a circuit, be indicted and convict to be againſt the edification of the Church, and it be found more for the glory of God, that both the revenue be divided to maintain a preaching Miniſterie; and their juriſdiction alſo, for the better over-ſight and cenſure of manners? And then is there as good a plea, notwithſtanding the oath, to alter this uſeleſs anti-Evangelical pompe, and domination of a few; as to antiquate, other immunities, ariſing from the error of the times, not the tenure of Scripture. Were indeed the priviledgs in queſtion, ſuch as were for the advantage of the Church, to further her edification; or had the Prelates been good Stewards, and innocent

nocent in the uſe of them; then had the plea carried a fairer ſhew. But theſe having been ſo many forfeitures by abuſe; and theſe great promotions, and juriſdictions, being as unwieldy to a ſpiritual ſouldier, as *Sauls* armour to *David*; and ſo do not further, but hinder the work of the Goſpel, whoſe ſtrong holds are to be vanquiſht, not by carnal pomp, but ſpiritual furniture, *mighty through God* 2 *Cor.* 10.4. I ſee no juſt ingagement to maintain ſuch cumberſom greatneſs, adding onely glory to the perſon, not vigour to the main work of the Eccleſiaſtick.

Again, thus I argue: If the king may conſent to alter the laws of the Nation, notwithſtanding his oath, then ſo he may alſo the Clergies immunities: for thoſe rights and immunities, they either hold them by law, or otherwaies: If by law, then the Parliament, which hath power to alter all laws, hath power to alter ſuch laws as give them their immunities; and thoſe laws altered, the immunitie ceaſeth, and ſo the kings ingagement in that particular. If their immunity be not by law, it is either an uſurpation without juſt title, which upon diſcovery, is null: Or, it was given by Papall power in times of darkneſs, which being an Anti-chriſtian uſurpation, is long ſince aboliſht in this kingdom.

CHAP. VII.

Shewing, that the Monarchicall juriſdiction and great revenues of the Biſhops, may be divided to the advantage of the Church, in anſwer to Doctor Boughens 13. *Chapter.*

THis paſſage of my Caſe, you attempt to anſwer chap. 13. and tell us, "*that there's a great cry againſt the juriſdiction of Biſhops, as inconvenient, and prejudiciall to the the Church, againſt unlawful immunities, Anti evangelicall pom, cumberſome greatneſs, and forfeitures by abuſe, and theſe, you ſay, are cryed out of, but none of them proved.*

I anſwer, the very expreſſion were ſo clear, of things ob-

vious to every impartiall eye, that proof ſeem'd needleſs: and ſure I am, you would diſprove it, if you could, it ſtands you upon, which not doing, it may paſs for currant: yet one quirk you have in this 1. parag. on the word, unlawfull immunities.

You argue, " *if they were held by law, then not un lawfull,* " *but legall.*

I anſwer, legall they were, becauſe allowed by mans law, yet unlawful, becauſe againſt Gods law.

Your next quarrell, is at the expreſſion, " *When the oath* " *was framed, the Church was indued by the ignorance of the* " *times.*

But you complain parag. 2. " *I tell you not when this time* " *was*; but what then? do you not know, it was in times of Poperie? and " *do you think there was as much true light at* " Weſtminſter *then, as now*, as you intimate in this parag.? Sure if you do, you have not only a Biſhop, but (as they ſay) a Pope in your belly.

Parag. 3. You take notice, that I conclude, " *the Kings* " *oath is invalid in theſe reſpects, & vinculum iniquitatis*; then you mention 5. particulars, 4. of which you ſay, " *you* " *have quitted already*; but I have therein diſproved you: and do not you think, that to exempt malefactors from trial, that fled to Churches for ſanctuarie; and the Clergies exemptions from ſecular puniſhments (which multiplied many ſlaughters by them, as *Daniel* witneſſeth, in his ſtory of *Henry* 2. pag. 83. (and yet *Becket* Arch-Biſhop of *Canterbury*, aſſerted this, as one of the liberties of the Church, which the king had ſworn to maintain, pag. 84.) I ſay, did not theſe, and ſuch like, think you, flow from ignorance? but it grieves you more, that I ſhould ſay, " *the oath in this reſpect, is vinculum* " *iniquitatis, and ſay Parag. 4. I wilfully ſcandalize divers* " *Princes of bleſſed memory, and charge them almoſt as deeply* " *as St. Peter did Simon Magus, with the bond of iniquity, Acts.* 8. 23. Al-moſt (we ſay in the north) ſaves many a lie; for is affirming that Princes (for want of light, which they wanted means for) do ingage themſelves with a pious zeal, but not according to knowledg, charging them with a crime, anſwerable

ſwerable to *Magus* his baſe ſelf-ſeeking hypocriſie? or ſo inconſiſtent with a ſtate of grace? If it ſhould, what caſe do you put king and Parliament in, which more then once, charge them with perjurie.

But tell me ſincerely, do you not think, in times of Poperie, many unlawfull things were given to the Clergie? and that many Canonicall priviledges were unlawfull? Sure either their immunities, or the reformation of them was unlawful; had you rather condemn the reformation, then the corruption, for fear of obliquely blaming the ancient Princes? Do you not hereby caſt an imputation on thoſe latter Princes, whom you are more bound to reſpect?

Your *parag.* 5. Is a ſcornful Ironie, hinting ſomethings falſe, ſomethings irrational; falſe it is, "*That what immu-*"*nities were unlawful in Biſhops*, We would challenge; or inherit their anti-Evangelical pomp: and as irrational is it, not to apprehend, that divers ſcores of Presbyters marſhalled into Presbyteries, in the ſeveral parts of a Dioceſs may not more eaſily ſee, and more ſpeedily take courſe to redreſs errors, and applie general remedies for the reclaiming of the ſcandalous, then one Biſhop over divers hundred Congregations, ſome of them the better part of a hundred miles from him. The Dioceſſes of Biſhops, heretofore were called Pariſhes; and indeed at firſt, few of them equal to ſome Pariſhes in *England*, and yet then they had Presbyters. Now their Dioceſſes are as large as Shiers, nay, it may be contain more Shiers, and Presbyteries diſcarded. Is not this prejudicial to the edification of the Church? Beſides, have you not heard what Queen *Elizabeth* uſed to ſay? *That when ſhe had made a Biſhop, ſhe had ſpoyled a good Preacher?* And how few of that rank imitate the Apoſtles diligence, or charge, for preaching. 2 *Tim.* 4. 1, 2. Is not this a ſign that the greatneſs is cumberſom? Yet we denie not, that there was preaching under the Biſhops, but I am ſure there was the leſs for many of them; they ſilenc'd Preachers, prohibited preaching on Lords daies, Afternoon, &c. And there was cenſure of manners, but yet Viſitations were but once a year, and Preſentations to be but twice; and might not many a man fall into,

into, and periſh in ſin for all this? Beſides that, their cenſures were more nimble againſt me for ſtrictneſs, then looſneſs or prophaneſs. I believe therefore, the intelligent Reader will not be ſtoff'd out of his belief of what I have hinted.

Your *Parag.* 6. Begins, as you call it, with diſtempered ſoame, ends with appeal to laſt judgement, which is one main thing which hath made quiet me under Prelatical oppreſſion, having referred my ſelf to him that judgeth righteouſly.

More of your ſoame you caſt, in your ſume, *Parag.* 7. Firſt, you ask "*Why we are fallen from abolition, to alteration?* I anſwer, this alteration, will prove an abolition to them, *quâ* Biſhops, do not you fear. "Next *this alteration, you* "*jeer, not ſparing to abuſe Scripture to adorne your ſarcaſms;* "*and yet I confeſs, this alteration of the juriſdiction into more* "*hands; and of the means of Biſhops, to maintain more* "*mouthes to preach the Goſpel, is the beſt plea I have againſt* "*Biſhops.*

I confeſs it is, and you ſhall never prove it anti-Evangelical, or anti-Chriſtian: But I by it, ſhall blow off all your aſperſions, that you lay upon me, as an enemy of the Church, and Miniſtery, in my plea againſt Biſhops, whereas this one thing ſhews, I ſeek the good of both, and that rationally.

Parag. 8. You trifle again about the word *altar*, the vanitie of which exception, was before ſhewed. After you caſt about your ſoame, which deſerves no anſwer, but indignation; but whereas you would abuſe Saint *Auguſtine*, to prove me an Heretick, citing out of him, "*that he is an Heretick,* "*that for any temporary commodity, and chiefly for his own* "*glory, and preferment, doth either raiſe, or follow falſe and* "*new opinions.*

Mine anſwer is, that I have proved my opinions grounded on Scripture, and ſo neither falſe nor new. And for any end of mine in it, beſides the peace of the land, and the edification of the Church; I leave my ſelf to him, that tries the heart and reins.

Parag. 9. You come to examine what I ſaid, touching the legalitie of your priviledges, "*that if they be held by*

law,

" *law, the Parliament that hath power to alter all laws, may* " *alter thoſe laws, and ſo the immunity ceaſeth.* You here firſt grant, *you claim no priviledges, but what is legal*: but you cavil at that which is ſaid, " *that the Parliament hath power* " *to alter all laws*; nay, you affirm, *it is Atheiſtical to affirm* " *that the Parliament can alter the laws of God*; but all this is but trifling; for you know, by laws, I mean only humane laws of their own making, and all laws are underſtood by me, *diviſim*, not *conjunctim*, that is, they have power to adviſe upon any particular law whatſoever, or whomſoever it concerns; and if on adviſement, it ſeem conducible to wealpublike, to alter it, they have power to proceed to alteration; and ſo the *Londoners* themſelves (whom here you would jeer, or provoke againſt me) would not (I am ſure they ſhould not) deny the Parliaments power to alter any of their immunities, that are convinc'd prejudicial to the wealpublique.

Parag. 12. To that which I ſay, upon the alteration of the law, the immunitie ceaſeth; you in effect deny the concluſion; for you anſwer not the argument convincing, but hold the *Theſis*: You add indeed, " *that an ordinance was* " *never conceived ſufficient to alter a law*; but what's this to the purpoſe? who ſpeaks of ordinances? my argument runs of laws.

If any think themſelves abſolv'd from the oath of allegiance, by an ordinance, let them bear their burthen; neither do I go about to abſolve the King from his oath of protection, (as you here calumniate me) but interpret the bond rationally, which you cannot anſwer; and ſo vent your ſelf in impertinent accuſations.

But you conclude. Parag. 13. " *that ſuppoſe there be ſuch* " *a law, could it be juſt?* &c. *You are pleaſed to acknowledg* " *our priviledges to be our rights, how then can they be taken* " *from us without injury?*

1. You alter the ſtate of the queſtion; for every injurie is not perjurie: the quærie was, whether they could be taken away without perjurie.

2. I acknowledg them your rights, that is, ſuch as you have

a legal claim to, while the laws thus ſtand; but theſe your rights were of three ſorts: 1. Some of your Canonicall priviledges (at leaſt formerly) were corrupt. Such were aboliſh'd by *Henry* the 8. Theſe were your rights, that is, you had claim to them by mans, not Gods law. 2. Some were eſſentiall to the callings, grounded on the Word of God. 3. Some were indulged by the Prince and State. The firſt ſort were void to a Chriſtian, by their anomie. The ſecond unviolable, by the unqueſtionable authoritie of God, the Author of them. The third are under the Conſult of Parliaments, as other laws, which are the peoples birth-right, and they may alter both, if they ſee occaſion: So the laws that concern the Clergie, make them neither worſe nor better, then thoſe laws that concern the Laytie, render them.

Caſe of Conſcience Reſolved.

THe Author illuſtrateth the force of his argument, by an example, holding forth an inconvenience: Where publique faith is given for money, it is not releaſeable by Parliament, without conſent of the partie; for if it be, it is in effect, no ingagement, &c.

Anſw. There's a great deal of difference between an engagement made to perſons on valuable conſiderations; and that which is made *gratis* to an office, or ſocietie, ſubſervient to publique good: Of the former kinde, is the engagement to pay ſums of money, of whom they were borrowed for publike good, which is indiſpenſible without the conſent of the lender. Of the latter ſort is this engagement to the Engliſh Clergie. Now engagements to a Societie, to maintain their rights, indulged for the perſonall worth of preſent incumbents; or to promote the uſefulneſs of that office: If in their matter they prove prejudiciall to the office; or the ſucceeding officers, by their ill demeanor, forfeit them, their engagement becomes alterable: There is no injuſtice done to make a law to over-rule, or alter this engagement. There's no queſtion of power in the Parliament, to over-rule it; for

in

in the former caſe of money, if the King and Parliament ſhould ordain releaſe of the engagement, the engagement was gone in law, not in equitie the order would be *valid* in law though injurious: So, if there be no injurie, the King and Parliament may cancel any obligation. And where there is forfeiture by miſcarriage, or the priviledg to a Miniſtrie (which ought to hold nothing but for publike good) proves prejudiciall, the abrogation will be juſt, as well as legall, there will be no injurie done.

But take it at the worſt, it is but for the King to get the Clergies conſent; and I hope in this caſe, they will not be ſo tenacious of their wealth and honour, as to let the Crown run an hazzard, rather then they lay down their Mitres, and indanger the whole land to be brought to nothing, rather then themſelves to moderation. I cannot but have a better conceit of the Major part of them, at this time, which will amount to a conſent, and that, in this Authors judgment, takes off the ſcruple about the oath.

CHAP. VIII.

Shewing, that abuſes are a forfeiture of ſome priviledges, in anſwer to Doctor Boughen's 14. *Chapter.*

I Come now to anſwer your 14. Chapter, which you entitle, "*whether the lands of the Church may be forfeited by* "*the miſdemeanor of the Clergie?*

But here I muſt minde you, and the Chriſtian reader, that whereas there are two parts of the Clergie in *England*;

1. *Parochiall Paſtors*, which ſtand by the ordinance of God, who appointed the ordaining of Elders in every Church;

2. *Dioceſan Biſhops*, which I have proved to be but humane creatures, invented and ſet up, as *Jerome* ſaith, to prevent Schiſmes;

That which I have ſpoken of forfeitures, belongs to the

latter, which are not Gods ordinance; though it may be, so they would keep within ancient bounds, and expres ancient worth, they might not be only tolerable, but usefull; yet if these abuse their power, and become an inconvenience, instead of curing an inconvenience; and any thing indulged to them for the honour of God, be abused, to his dishonour, in the hurt of the Churches, then they make forfeiture.

Now the Case thus stated; Your instance, *Parag.* 1. "*of* "*Abiathars being succeeded by another, not the office abolisht,* is not a *pari*, for that was in an office expresly Gods ordinance; so Episcopacie is not.

What you say, *Parag.* 2. about justice, out of *Lactantius*, who in that place distinguisheth between "*Jus civile, quod* "*pro moribus ubique variatur, & vera justitia quam unifor-* "*mem, ac simplicem proposuit omnibus Deus.* I acknowledg the truth of his speech, nor would I, nor do I maintain any thing against true justice.

But what you infer from thence, that where true justice is wanting, there's no law, nor no Common-wealth, &c. It is evidently contrarie to his minde; for though this true and perfect justice, was wanting in all heathen societies (for they had some constitutions, that swerv'd from it:) yet no man will say, there were no Common-wealths, but tyrannies, among the heathen, though they were not such compleat Common-wealths as they might have been, had they known the rule of Gods perfect justice.

Parag. 3. To that, that there's great difference between an engagement made to persons on valuable considerations, and which is made *gratis* to an office or societie subservient to publique good; You answer, "*that the setling of land upon* "*a Corporation, is more firm, and that gift gives as good pro-* "*priety as purchase*; wherein you wilfully mistake the scope of my speech, or ignorantly; for the difference I speak of, is, in regard of the injurie in alteration; and that too, where and when there is miscarriage.

Now I hope, though I must return to a corrupt man what is his own; yet it is no injurie to deny courtesies, which are given *gratis* to men for their worth. *Artaxerxes* bestowed

ed a great largeſs on the Miniſters of the Sanctuarie, and he did excellently wel in it, and in the confirmation of it, (yet you ſimply make that expreſſion, *the Law of God and of the King*, to relate to that one Decree of *Darius*, which you will plainly ſee, if you read *Ezra* 7. 24, 25, 26. together:) But the queſtion is, if the following Prieſts had ſet up themſelves with that the Kings benevolence, and neglected the work of God, and had grown inſolent againſt the Monarch; Whether it had been injurious in the ſucceeding Monarchs, to have recalled that gift given to good men, to make them more ſerviceable to God, and devout in their prayers for the King.

But *Par.* 4. You ſay, *theſe lands and immunities were made* ' *to the office, and Epiſcopacy is a living office.* But I anſwer, its an office that may dye, for the Dioceſan-Biſhop can finde his Regiſter in Gods Book, he is later then the word written, and therefore this plea will not help him.

Parag. 5. To that, what is granted to perſonal worth, of preſent incumbents, and given to promote the uſefulneſs of the office; You ſay, " *It is fixed till the office be found uſe-* ' *leſs and aboliſht, but till then it is injuſtice to take it away,* ' *without which the uſefulneſs of that office cannot be ſo well* ' *promoted.*

I allow all this, and in as full words, *pag.* 4. of Caſe reſolved; but I affirm, this office by its incroachments (excluding Presbyters) and Canonical priviledges, which it challengeth, is grown burthenſom, inſtead of uſeful, and the incumbents for the general much degenerate, both neglecting the main of a Paſtors office, *preaching*, and abuſing their power to the hindring of it in others: And for that which you add, ' *of the forfeitures of other Corporations, as that of Drapers, or* ' *Grocers, or the City of* London *it ſelf.* I believe, if the King had conquer'd, you would have been as ready as any, to have impleaded the Companies of *London* of forfeiture, for aſſiſting in the War againſt him. And who knows not, that Corporations may, and often do forfeit and loſe their Charters of priviledges, by abuſe and miſdemeanours? For what you ſay, ' *of Parliaments power*, Parag. 6. I would you would alwaies ſpeak ſo modeſtly: By Parliamentarie

power, when I ſpeak ſo largely, I take it, as containing the three eſtates, the King the head, and the Lords and Commons, as the body; yet I abhor, to think of aſcribing to them power, to make that which is unjuſt juſt, as I do diſdain that compariſon, of the witneſs brought by me againſt Epiſcopacie, to that brought againſt *Naboth*, by ſuborned Knights of the Poſts; for the teſtimonies I brought, were out of the Scripturures of Truth.

But *Parag.* 7, 8, 9. We have a great out-cry made, but the beſt is, its a great deal of cry, and little wooll. The out-cry is at theſe words; '*If King and Parliament releaſe the engagement, in the caſe of money, the engagement were gon in law, though not in equity. The Order would be valid in law, though in jurious.* Firſt, you queſtion the validity of an Order of Parliament; but you ſhould remember, I ſpeak of an Order paſt by King and Parliament, and that amounts to a law, and later laws over-rule former. Then you *bid men* '*take keed of their purſes, for I ſpeak of ſums of money.* But this is but to make a noiſe, for you know my Opponent brought in the inſtance of money, and I did but anſwer about it. But the greateſt out-cry is at this, *gon in law, not in equity, valid in law, though injurious; behold* (ſay you) *law without equity: God bleſs me from ſuch law;* I ſay ſo too; but the Divinity is good enough, by your leave: For were not the Statutes in Queen *Maries* time, laws, though injurious? And the Martyrs brought to a legal tryal, by the Statute-laws of the Land, though injurious ones? This is ſo plain, that no rational man can deny it; and all the ſhew you make to the contrary, is but from the word *Jus*, becauſe, that properly ſignifies ſuch a conſtitution as is juſt. But if an unequal Statute may not be called *Jus*, properly, may it not be called *Lex*, or a Statute-law? your own word * *pag.* 94. *l.* 12. ſhews that you are not ſo ignorant, as not to know it, nor ſo impudent as to deny it. And therefore your accuſations here *of Divinity without conſcience*, &c. are Sophiſtical and childiſh, or malicious; whereas, you ſay, *I ſtretch my conſcience, and juſtifie a power in the* '*Parliament to do injury, and not onely ſo, but a power to make*

* Your ſelf ſay *pag.* 40. *Lex non obligat ſubditos in foro conſcientiæ, niſi ſit juſta.* The law binds not Subjects in the Court of conſcience, unleſs it be juſt; But then this implyes, *in foro humano* it doth, which agrees to what I ſay, but that you have a minde to quarrel.

laws to juſtifie this injury; Its a moſt falſe ſlander: I ſay, there is in King and Parliament that Peerleſs power, that their agreement makes a law; but if they ſtretch this to unjuſt things, they abuſe their power, and become injurious, and ſin, yet we have no plea againſt them in law, that is, *in foro humano*, but in equity and conſcience.

Parag. 10. You quarrel, in like manner, with thoſe words. '*So if there be no injury, the King and Parliament* "*may cancel any obligation, which your dulneſs or paſſion* '*makes you not underſtand and ſo you play the ape with them.* The meaning is this, The King and Houſes being the ſupream power, what they ratifie, ſtands firm; and what they aboliſh, no man can claim by any conſtitution of the Nation; And in matters not injurious, they may lawfully put this power committed to them, into act.

Now *Parag.* 11. It may appear, that you well underſtood what I meant, in diſtinguiſhing between law & equity, in that you ſay, "*What is according to law, true law, is lawful.* Why do you ſay true law, but to note a diſtinction of laws? Some are made by lawful authoritie, and ſo valid *in foro humano*, in mans Court; yet that authoritie obſerves not the right rules of equitie, but abuſeth power to decree unjuſt things, and ſo it is a law, but not a true law, that is, not a law for that intent that laws were ordained, to prevent injury, not decree it. I conclude therefore, that you make theſe rehearſals of law without equity, *ad faciendum populum*, againſt your own conſcience; but the intelligent, will ſee and deride this beggarly fraud.

Parag. 12. You harp upon the old ſtring, "*that an office* "*can forfeit nothing.* And I grant it, of ſuch an office that is of God, and of ſuch priviledges as are neceſſarie or uſefull; but neither is Epiſcopacie ſuch an office, nor their large juriſdiction, and great pomp, ſuch priviledges.

Parag. 13. Runs on the ſame ſtring, "*touching an office inſtituted of God*, which Epiſcopacie is not, though Miniſtrie be. And then kindly (as often formerly) grant the queſtion, that "*of priviledges perchance there may be a forfeiture,* "*where they preve prejudiciall to the publike good*; and ſo

waves

waves the queſtion from that which is *de jure, of right*, which he hath been diſputing all this while, to that which is *de facto*, of the fact of prejudice to the publike: in which queſtion, how confident ſoever he be in the negative, I muſt mind him, that not he, and the Prelates, nor I, that are parties, but the King and Parliament muſt be Judges.

For what you ſay, out of the great Charter, *Parag.* 14. '*We grant to God, and confirm the Church of* England *free*, &c. I anſwer, but the Biſhops are not the Church; you do not, I hope, approve that popiſh language, they were then but a part, and an unſound part, being vaſſals to the man of ſin. Yet *William* the Conqueror did ill, to appropriate Church-lands for covetouſneſs, and for it might miſcarry; ſo did they for the ſame cauſe, rob the Temples of the Heathen Deities; whence the proverbe, *Aurum Toloſanum, in Anlus Gel. Noct. Attic. lib.* 3. *c.* 9. Yet they did well, that conſcientiouſly aboliſh'd both Idols and Temples. What you add, "*that in* 'ſtrictneſs *of Reformation, Epiſcopacy was continued in* Eng-'land, *as moſt uſeful for the Church.* How this obſervation is connected, I know not: It is a ſuddain motion; I may alſo juſtly take occaſion to give notice, that our Reformation hath been counted defective, for keeping up Epiſcopacy in its height; and not either aboliſhing it, or at leſt bringing it within the ancient limits with a Presbytery; (which now is offered by the King.) And what other reformed Churches can the Author name, but it was part of their Reformation, to take away Dioceſan Epiſcopacy?

Parag. 15. You expreſs a needleſs grief, to hear from a Preacher of the Word, "*that the Biſhops muſt lay down* "*wealth, honour, and Mytres, or elſe the Crown muſt run an* "*hazzard.* Are you ſorrie to hear a Preacher ſpeak the truth? hath not the Crown run an hazzard in this reſpect, as well as others? But whereas you ſay, "*I give notice of what hath* "*been the cauſe of my factious preaching*, you falſly ſlander; for though I know no cauſe that I ſhould have had to grieve, to ſee the Biſhops ſtript of their greatneſs in a fair way; yet I have as ſeriouſly, and ſincerely grieved for the hazzard of of the Crown, as your ſelf; and have been as far from fur-

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thering it. For that you add, that few of the Biſhops have gained ſo much by the Church as their breeding coſt their parents; It will be credible but to a few, except to thoſe that know at what rates they made friends in the Court, to procure them.

Parag. 16. You tell me, "*I might have done well to have* "*directed this paſſage to the Parliament.* Truly you ſay true, and thoſe that know me, know I have not been backward, to preſs, and perſwade a condeſcenſion on their parts, as well as on the Kings; and that in writing too: which on as good an occaſion, as I had to print my Caſe, may ſee the light. But the Biſhops have not been ſo innocent, as you make them; for ſchiſm, they did not prevent it, but partly made it, by caſting out both Miniſters and people for their own inventions, that willingly, and peaceably, would have held communion in all Gods ordinances; partly occaſion'd it by neglect of good Diſcipline, and rigorouſly requiring conformitie to humane ceremonies: for Hereſies, they did foſter them. How did the moſt of them connive at Papiſts? advance Arminians and Socinians, while they pretended againſt Socinianiſm? Blaſphemie in one kinde they hinder'd not, in that they let blaſpemous ſwearers paſs without diſcipline, and enjoy the priviledges of Sacraments. Atheiſm they promoted, by hindring the preaching of the Goſpel, which they were enemies to, for the moſt part, to uphold their dumb Miniſterie, and for fear their idleneſs ſhould be cenſured. They taught rebellion againſt the Lord, in teaching men to prophane his Sabboths: They hindred not, but occaſioned blood-ſhed, in oppreſſing *Scotland* with illegal impoſitions, ſtirring up the King to war againſt them, and to break his Pacification with them, which was the egg that hath bred this cockatrice that is like to deſtroy all.

This I ſpeak not of all, but ſome of them; nor out of a delight I have to rake in other mens ſores; but to ſhew you, that Biſhops grew not into ſuch *odium* among the people for nothing; nor were they without miſcarriages, that occaſioned ſuch a violence againſt them; and yet for my part, I grieve, that the peoples diſlike of them had not acted in a more

more orderly and regular way.

Parag. 17. For *Seldens diſtinction between the Abbot and* " *the Abbey*; it ſeems, he is better at relating diſtinctions, then practiſing them: And its good to obſerve that diſtinction, *where the man is Gods inſtituted Officer*; but that neither *Abbot* was, nor *Dioceſan* Biſhop is, but both humane creatures.

Parag. 18. Your quarrell is at my expreſſion, " *of bring-* " *ing Biſhops to moderation, which you, in a jeering way, ſay,* " *is annihilation*; but as wiſe a man, as you, may be deceived; for though that relation or title of Epiſcopacie, be taken away, wherewith man hath exalted them, yet they may retain that place that God hath given them, to ſerve him as Paſtors, in ſome parochiall charge, as they did before their Epiſcopacie; which he that diſdains, or thinks nothing, or that it is too low for him, I dare be bold to ſay, it is too good for him.

Parag. 19. For that you ſay, " *that the King ſuffers for* " *the Biſhops obſtinacy*; the more diſreſpective they, not to yield, that he may be enlarged, if that would do it; you know what *Gregory Nazianzen* (not inferior to any of them) did for peace; for what you relate here, and elſe-where, in an accuſatorie way, " *of what is done to the Biſhops and Clergie*; I might object what hath been done to the Clergie of the other ſide, when under oppoſite power; but I have neither furthered nor approved the oppreſſions of neither ſide, but bewail them, and fear Gods judgments for them.

And therefore, in your Parag. 20. is ſlander out of malice or miſtake, " *that I have preacht for the Biſhops Wealth, or* " *Mytre*, &c. but your opinion is at laſt, if others be ſo violent to put him to it, " *the King and his poſterity muſt periſh,* " *e're you will conſent to part with your greatneſs and honour.* Sure, if you count thoſe that put the King upon this ſtrait, his enemies, no wiſe man will count you (who will rather let him periſh by the rigour of others, then relieve him by your condeſcenſion) good friends: you love greatneſs ſo, that you will rather loſe it with him, then releaſe it, to contribute to his preſervation.

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Is this your boaſted-of affection and loyaltie? This ſhews what you pretend love to the King for, to uphold your own greatneſs, not his, further then it upholds yours.

Parag. 21. You conclude, "*that if the Biſhops knew themſelves* "*guilty of the difference between the King and Parliament,* "*God forbid but they ſhould part with all they may*, &c. And if they will remember the beginning of it in *Scotland*, with the occaſion, they may ſee guilt enough, eſpecially he that called it, *Bellum Epiſcopale*, who, it is to be feared, ſpake the minde of the reſt. "*But yet they cannot give up what is Gods*, nor would I have them, but for God, and to God; for his glory, both to promote a bleſſed peace, and to ſet in its proper ſphear Presbyter-Biſhops of his own appointing, and ſupport more able of them to feed the flock of God, that may live divers years without one Sermon, for many a Dioceſan Biſhop.

Caſe of Conſcience Reſolved.

BEſides this argument, there be other inſinuations brought in by the ſame Author, that it would be diſhonourable to the Kings memorie, to be an unfortunate inſtrument to pull down Cathedrals, and impoveriſh them, &c.

Anſw. To aboliſh Prelacie, and ſeize the revenue of Prelates to private or civill intereſt, undoubtedly could neither want ſtain nor guilt; ſuch kinde of impropriation as happned in the dayes of *Henry* the 8. was cryed out of, all the Chriſtian world over. *Illam bonorum Eccleſiaſticorum diſſipationem cum deteſtando ſacrilegio conjunctam, tecum & cum bonis omnibus deploramus, ſcelus univerſo orbi commune*, ſaith *Beza, in reſpon. ad Sarav. de grad. Miniſt. pag. ult.* But who knows not the great defect amongſt us of congruous maintenance for Parochiall Paſtors, by whom the work of the Miniſtrie is chiefly to be performed? And if thoſe large revenues of the Prelates, were directed to ſupply with ſufficient maintenance, all the defective Pariſhes in *England*, there would be no danger of ſacriledg. And this would not be to ruine, but to rectifie the devotion of former ages, and turn

pomp into uſe, and impediments into helps. A work, for which following generations ſhould not need to pitie the king, as put upon it by misfortune, but riſe up and call him bleſſed, whoſe many other diſaſters ended in ſo good and uſefull a work. Had the motives of *Henry* the 8. been as honeſt to caſt off *Papall* juriſdiction, as the act was holy; and the improvement of Abbey lands, as conformable to divine law, as the diſſolution of Abbeys, to the rules of Divine wiſdom: He might not only have been honourable in our Annals; but, if I may ſo ſpeak, a Saint in our Calender. It was the circumſtances of actions, in themſelves glorious, which made them a diſhonour to him, though advantagious to the Church; which circumſtances being avoided in the thing in queſtion, God and good men will highly approve it, which is the only reall, and regardable honour: Thus far my firſt opponent.

CHAP. IX.

Wherein is ſhewed, that the converting of Biſhops Lands to maintain preaching-Miniſters, would not be ſacriledg, but a good work, in anſwer to Doctor Boughen's *15. Chapter.*

I Come now to anſwer to your 15. Chapter, wherein you diſpute the Caſe, "*whether it be lawfull to confer Biſhops* "*Lands on Presbyters*; and firſt you ſay, *the Church is like* "*our Saviour Chriſt between two theeves, Independents and* "*Presbyterians, but neither of them for our Saviour.* But the beſt of it is, your tongue is no ſlander; for if preaching Chriſt, be being for Chriſt; I dare boldly affirm, that the moſt of either of thoſe that diſlike Epiſcopacie, are far more for Chriſt, then you and your Prelates, a few only excepted; and of them, the more they be for Chriſt, the leſs violent uſually for Biſhops; eſpecially for your Apoſtle-Biſhops, which they account a fancie. After, you ſay, "*I like theft,* "*ſo I and my fellow-Presbyterians may be gainers*; but your

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poſition is falſe: I abhor theft as much as you do, nor do I look at the gain of my ſelf, or Presbyterians, but of the Church of God, for I am no pluraliſt, whatever D. B. is; nor do I, nor many other Presbyters, expect any more means, if this ſhould be, but that the Church may have more Presbyters apt to rule well, and labour in the word and doctrine, and be examples to the flock, we having found in experience, *that ſcandalous livings occaſion ſcandalous Miniſters*: And this we think is in the power of king and Parliament to do without theft. The revenues annext to Cathedrals, being intended for the beſt good of the Church.

But *Parag.* 2. You "*acknowledg I am againſt ſacrilegi-*
"*ous alienation, but, I and Maſter* Beza *cannot prevent it.* Who can help it? We have cleared our own ſouls: yet if the Prelates would have conſented to reſignation, when this caſe was firſt preſented, I verily believe that diſhonourable alienation had been prevented.

Parag. 3. '*You confeſs I would fain ſet a fair gloſs upon a*
"*deteſtable fact.* But every thing is not deteſtable, which you call ſo; that which would tend to have Chriſt more preacht, would be profitable to the Church, and acceptable to God. For *Ordination*, we have ſpoken before, and ſhewed, that Presbyters have as much power from God to ordain, as your Prelates, and are as good Biſhops; onely the other, by cuſtom, *gradatim*, have rob'd them. "*We ſhall have a choyce*
"*peece, when you come to examine Divine right.* I ſhall wiſh the Divines to be more careful to provide patience to bear your railings, then perſpicacity to diſcern your ſubtilties: For you are not like to trouble their heads with much of the latter.

Parag. 4. You ſay, "*If there be a diverſion of the mainte-*
"*nance, who ſhall make the conveyance, and when its made, its*
"*not valid, without the proprietary, and that is God,* &c. *and*
"*What is ſeparated to holy uſe, cannot return to common.*
Good, but what is given to God, may be improved to the utmoſt for God, and thats the aim, and would be the iſſue of the diverſion ſpoken of, that Chriſt might more preach'd, even to thoſe that have long ſate in darkneſs, and in the ſhadow of death.

Nor is every diverſion, (as you ſay, *Parag.* 5.) *a turning 'out of the right channel*, But out of the former channel; and the latter may be better, and ſo righter, in regard of the chief intentions of the Donor. And this done, by the unqueſtionable authority of the Land, will I doubt not be approv'd by as wiſe, and as honeſt men, as you. Do not you your ſelf, *pag.* 119. ſay, concerning Abbies and Pryories; That good and pious men have wiſht that the abuſes had been pruned off, and that the land had been diſpoſed of, according to the Donors intentions? Whats that but diverſion from the corrupt way of Abbeys and Pryoryes, to ſupport other pious, and charitable uſes?

Parag. 6, 7, 8. You tell us a ſtory "*of the antiquity of* "*endowing Churches, and the riches of them. And that the uſe* "*and Dominion of Church-goods, belong'd to Biſhops, and this* "*not onely by cuſtom but by Canon*: But withal you ſay, *at* "*his charge, as it were, the Presbyters and other Clerks of the* "*Church were fed.*

Sure, you have told a good tale for your ſelf; for by it, it appears, that the wealth wherewith the Church was endowed, was not given to any perſons, but the Church, in which the Biſhop had no propriety, but power of uſe, for what he himſelf needed, and of diſpoſing the reſt to Presbyters, and other Clerks; which now the Biſhop neglecting, and many Pariſhes in his Dioceſſes wanting preaching Presbyters, for want of maintenance, and many that preach'd wanting ſubſiſtance; and the Biſhop, who you ſay, ſhould maintain them, maintaining Princely * State, a number of Serving-men, *&c.* To divert a great deal of the maintenance to preaching Presbyters, would be a returning of it into the old channel, by your own confeſſion.

*I my ſelf once ſaw the Biſhop of *Yorke*, riding towards *London*, with fourty five men in his Livery. And I wondering at the number, was told by one of them, that there was above twenty left behinde, that wore their Lords Livery.

But *Parag.* 9 'The *Biſhops followed the ſteps of the A-* "*poſtolick Church, for* Act. 4. *we read that the well minded,* "*when they ſold their lands, laid the prices at the Apoſtles feet,* "*not the Presbyters.* How could they, when there was, as yet, none ordained? 'But *after, by the Apoſtles direction, there* "*were Deacons ſet over this buſineſs of Church-treaſures.* Good, and thoſe Deacons continued, and diſtributed

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Church-goods; ſome to the Paſtor, ſome to the poor, ſome to other pious uſes; but when your Prelates grew Lordly, the, like not that, and therefore by little and little they changed the Deacons office, and made themſelves proprietaries of the great revenues, and thereby great Princes; and you can abuſe Scripture to confirm it, as the Papiſts do to exalt the Pope. But *Paul*, ſay you, *commanded* Timothy, *that 'the Presbyters be well provided for*, 1 Tim. 5.17. *And to 'what purpoſe was this charge, unleſs he were to provide for the Presbyters of his Church*? For very good purpoſe: as the Apoſtle ſhews you himſelf, 1 *Tim.*4.11. *Theſe things command and teach.* He was to teach it, others to perform it; for though he ſet Presbyters on work, in ſome ſenſe, yet it was not for himſelf, but Chriſt and his Church; and they who reap'd their *ſpirituals*, *were to pay them temporals*, 1 Cor.9. And you dream, when you talk *of Timothyes table, or allowing maintenance.* Alas, he had no Palace then, he kept no Prince-like table to feed his Presbyters; theſe fancies will be ridiculous to learned men, eſpecially to Biſhops, to lay the charge on them, to maintain all the Presbyters in their Dioceſs. Yet you ſay, in thoſe times, Biſhops and Presbyters were uſed to live in the ſame houſe: What, all the Presbyters in a Dioceſs? and in the Apoſtles time? Alas Sir, they were like their Maſter, they had no houſes, but what they hired, nor no tables, but where they ſojourned, as appears by Divine ſtory: With what face can you deliver ſuch improbabilities?

But Parag. 1c. You enquire, " *Whence the want of main-* " *tenance for preaching Presbyters ariſeth, and you anſwer, it is* " *from the appropriation of tythes, at the diſſolution of Abbeys.* This is true in part, but not in the whole; for I believe, the greater part of Appropriations are held of Biſhops, and Deans and Chapters; and if the Biſhops be to maintain the Presbyters, and withhold the tythes, who is the thief now? At leaſt, this far, the attempt is juſt to reſtore their impropriations: And I muſt tell you this too; That there was ſcarce any Gentleman of any ingenuitie or affection to religion, but he made a far more conſiderable addition, out of his impro-

priation, to the incumbent, then either Bishops, or Deans and Chapters; Though the one purchased them, when the other swore they came into them freely: Nay, some Gentlemen resigned their impropriations freely: I can hear of no Bishop that hath done so; though you say, "*they are bound to maintain their Presbyters.* You close with a jeer, but therein discover your ignorance: Impropriations were injurious, you confess; and if they be not valid in law, why do not you supply the cure of some great impropriation, and recover the tythes in a legall way? if you cannot, my position is truth; and so not dissonant from the God of truth.

Parag. 11. You bring my words, that if Bishops Lands were bestowed on Presbyters: This would be, not ruine, but to rectifie the devotion of former ages, which you say, "*is somewhat like Cardinall* Woolsey's *pretence, who dissolved fourty small Monasteries of ignorant Monks, to erect two goodly Colledges for the breeding up learned, and industrious Divines; was not this to turn impediments into helps? was not this as fair a pretence as mine?* yes, the very same, and I think, few godly and rationall men will disallow it: But you would prove by the event, "*that this was not accepted of God, because his Colledges were not brought to perfection.* But *vulgus res eventu metitur, its for vulgar capacities to judge of things by the event*, not Doctors of Divinitie. And had Cardinall *Woolsey*, think you, no other sins to make God blast his design, but this pious attempt? Sure, no man that knows his story, will so judg; "*but this gave occasion to profuse sacriledg*; but occasions are not alwaies culpable of ill events, unless they becauses also, as this was not, but the covetousness, and igonrance, with other lusts, of ill-guided men.

Parag. 12. you enquire, "*what the meaning of these words is, this will turn pomp into use.*

I answer not what you say; but so that wealth, which of late, served for the useless pomp of one only Princely Lord Bishop, would provide many able preachers for the use and edification of the Church.

But you proceed, and say, "*that the power of Bishops, which were the main impediments to schism and heresie, we have*

"*have covenanted to root out, and have brought in all helps* "*to irreligion and Atheiſm*, &c. But this is but a falſe ſuggeſtion of yours; for though the power of Epiſcopacie (as *Jerome* ſaith) was firſt erected to prevent ſchiſm; yet amongſt us of late, as I have ſhewed, it was the great occaſion of ſchiſm, & the fautor of divers hereſies. That there have of late appeared more hereſies and ſchiſm among us then formerly, is not becauſe Epiſcopacie was pul'd down, but becauſe we were ſo long without Presbyterie ſetled, which is yet but lamely done; for where that is ſetled, it would far better prevent the riſe and growth of hereſie, then Epiſcopacie; as King *James* demonſtrated to *Mountague*, Biſhop of *Bath* and *Wells*; demanding of him, upon the occaſion of *Legatts* Arrianiſm, what the reaſon ſhould be, that *Scotland* was ſo free from ſchiſm and hereſie, when *England* was far more peſtered with both. The relation out of a learned Author, you may take as followeth:

When Legatt *the Arrian, and* Weakman, *that affirmed himſelf to be the Holy Ghoſt, were put to death*; *Mountague, Biſhop of* Bath *and* Wells, *ask'd King* James *ſeriouſly, whence it was, that* England *did bring forth Sects, hereſies, ſchiſms, inſomuch, that many families, before we were aware, ſeparated from us, and fled away; whereas no ſuch thing was obſerved to happen in the Church of* Scotland? *To whom the King, as moſt skilfull in this cauſe, moſt wiſely anſwered; That ſuch was the Diſcipline of the* Scotch *Church, that it was impoſſible for ſuch things to fall out amongſt them: for firſt* (ſaith the King) *you muſt know, that every Church hath its Paſtor alwaies reſident, and vigilant in his pariſh; and this Paſtor hath joyned with him Seniors and Deacons, which every week meet together at a ſet time and place, for the cenſure of manners, that almoſt the whole flock is known by face to the Paſtor, and the conditions, diſpoſition, and religion of every one, is made apparent: no hereſie therefore can ſpring up in a Pariſh, without notice taken by the Paſtor; and to prevent the rooting of any error in a Paſtor, They have every week their Presbyteries, compoſed of all the Paſtors in a Shrievalty, or Deanrie, in the chief City of that precinct; and this, not only to decide the more weighty queſtions*

Scoti paræt. contra Tileni paræn: from the relation of a Courtier of good credit, lib. 1. c. 8

ſtions touching manners; but alſo to try doctrine it ſelf: Here do propheſie at leaſt two; whereof the firſt doth only open the text and expound it: The ſecond doth give the uſe, exhortation, and application: This finiſht, the reſt meet together, and the two ſpeakers go aſide, untill the Moderator of the Presbyterie asketh every ones opinion of the doctrine delivered. And if (to ſay no worſe) they do but ſmell out any thing, either its forthwith buryed by common ſuffrage, or if the Presbytery be divided in any queſtion, yet at leaſt, the whole matter is husht in ſilence untill the next Synod, which come twice a yeer. Hither come all the Paſtors of the whole Province, accompanied with their Elders, as the ſtate of every Church requires.

The Moderator of the precedent Synod begins with a Sermon; and then, either a new Moderator is choſen, or (which ſeldom falls out) the old is continued. The queſtion refer'd to the Synod, is either compoſed, or husht up again in ſilence, and refer'd to the National Synod, held once every year. Hither come, not onely the Paſtors, but the King, or his Commiſſioner, and uſually ſome of all degrees, ſufficiently furniſht with judgement and authority to compoſe any controverſie; ſo Hereſie is ſtifled in the very birth. So you may ſee, that Presbyterie is a better way to keep out, or under Schiſms and Hereſies, in King *James* his judgement, grounded on experience, then Epiſcopacy: For what you add, '*That the Pulpits and* "*Preſſes, are lock'd up to all Orthodox men*; Is falſe: if to any, it is my grief: I am not to anſwer for others faults.

Parag. 13. You ſay, '*Its true, and not true, that by Paro-* "*chial Paſtors, the work of the Miniſtery is chiefly to be per-* "*formed. True* you ſay, *it is in the Fathers ſence, not in mine.* But my ſence, I ſhall prove to you, is Scripture ſence: For Paſtors in my ſence, are ſuch as were ordained, *Act.* 14.13. and *Tit.* 1.5. in every Church, and were by *the Holy Ghoſt, made over-ſeers of them to feed them, Act.* 20.28. This you confeſs; for theſe places you underſtand of Presbyter-Biſhops. And I hope you will not oppoſe Fathers to Scriptures; if you do, you know who muſt fall, *Gal.* 1.8. *Its* "*true, that the place of a Biſhops juriſdiction, was ſometime* '*called a Pariſh*; But that Pariſh was uſually not ſo bigg as

ſome

ſome Pariſhes in *England* now; If they were, how could ſix Biſhops be aſſembled to the cenſure of every Presbyter, as the Canon was: ſure thats above the number of all the Biſhops that are in one of our Provinces, which grates hard on your Dioceſans, ſhewing, how unlike they are to ancient Biſhops. 'Nor are the ordering of the Church, or ordaining of Presbyters, without the ſphear of Presbyters, by any law of God, but humane cuſtom: No, nor are theſe the *chief works of the Miniſtery*; No Doctor: Preaching, and ſound Doctrine are the chief acts of the Miniſtery, which deſerve moſt reward, as you may ſee, 1 *Tim.* 5. 17. and 1 *Cor.* 1. 17. and therefore, when Saint *Paul* reckons up Miniſters, and their Miniſterial acts, governing comes behinde teaching, 1 *Cor.* 12. 28. *Rom.* 12. 6, 7, 8.

But *Parag.* 14. You think to prove, 'That your Biſhops do the chief work, virtually from an axiom in philoſophy, *propter quod aliquid eſt tale, illud ipſum eſt magis tale*. But herein you ſhew your ſelf as bad a Philoſopher, as Divine; for doth *propter quod*, note out an efficient cauſe, or the final cauſe, think you? You are therefore miſtaken in your axiom, which is falſe, being as if you had ſaid, Presbyters are made Preachers, *propter populum*, for the people: *ergo*. the people are more Preachers: A wiſe concluſion. We have a rule indeed, *quicquid efficit tale, eſt magis tale*. And I will grant, that they that ordain Preachers, ought to be more Preachers themſelves; but that, you know, is falſe in experience, in moſt of your Biſhops; therefore you ſhould know, that ſuch Axioms, are true onely in *natural*, not in *voluntary* cauſes, as the Logicians will teach you. Neither are the Biſhops the total cauſes of Preachers: Alas, at the moſt, they give them but Commiſſion to uſe their gifts authoritatively, which gifts they have from God, and are the fundamental cauſe to make them Preachers. Nor can Biſhops alone ordain Presbyters; that I have proved before. And what if I ſhould prove it now by an axiom of philoſophie? *Generare ſibi ſimile, To beget his like, is the affection of a living creature*; And Preſbyterie, you know, is a living office, *ergo*, Presbyters may ordain Presbyters. I believe, you will ſweat to give a rational

answer to it. What you add about *ordinary Courts of justice, and Parliament*; Sir, though I count the Parliament the supream Court, yet justice is chiefly done by inferiour Courts, because it ordinarily lies on them, and the Parliament is onely to supply and rectifie their errors.

But you proceed and *Parag.* 15.16. *Compare the Mini-*
" *sters to souldiers in an Army, and to Mariners in a Navy,*
' *and your Bishops are as the General, they are as the Admiral.* So then, the people are no part of the Ship or Army, or else you level the Presbyters with the people, whom the Holy Ghost calls their guids set over them: Such similitudes you use to make. *But every Preacher is not fit to be a Bishop*: thats your judgement; but the Holy Ghost saith, *none should preach, except he be sent*, and none should be sent, but such as are fitted to take the care and over sight of the Church, and thats the Holy Ghost's Bishop: Whatever your opinion is, see 1 *Tim.* 3.5. *Acts* 20.28. Indeed, such a Bishop as you would have, Monarchically to govern a whol Dioces of a Shier or two, cannot be made *ex quolibet ligno*; but neither Scriptures, nor primitive times acknowledg any such Bishop; But such a Bishop as may joyn with others in the government of a Church: a meaner man may be without prejudice, for others maturitie in judgement, may help his want of experience.

What you object, *Parag.* 17. *about the Levellers Doctrine as suitable to this*; Is but a capritious fancie of your own; for God hath comprized all ordinarie Ministers under the same name of Pastors; and therefore man can make no difference among them, but for orders sake. Neither do I go about to level all Benefices: you know there is a difference, in a great disproportion, which may be for men of different parts.

But *Parag.* 18. You *exclaim, because I say, there will be*
' *no danger of sacriledg in my way.* And first you say, *to over-*
' *throw Episcopacy, is to overthrow the Church*, and for that its not enough for you to abuse a Father, but an Apostle too; for when Saint *Paul* saith, *we are built upon the foundation of the Apostles and Prophets, Ephes.* 2.20. Whats that, saith *Beza*,

but

but Jeſus Chriſt? So the Apoſtle, who is the beſt interpreter of himſelf, explicates it, 1 *Cor.*3.9. and adds, *Planè eſt Anti-Chriſtus, qui ſibi tribuit quod unius Chriſti eſt: He is plainly anti-Chriſt, that arrogates to himſelf (*or to any other*) what is onely Chriſts.* What think you of this? Again, thoſe that take the Apoſtles to be the foundation, is it in reſpect of their perſons, authoritie, or doctrine? Their doctrine, I believe Sir; and will you compare your Biſhops, for doctrine, to the Apoſtles and Prophets: Who as ſuch, were infallible; Nay, do you not confeſs the doctrinal part of the Miniſterie to belong to the Presbyter, as well as your Prelate, and to be more performed by them? and have you not made a fine proof of the fall of the Church with Biſhops, out of this place?

But you add, *Parag.* 19. *What, no danger of ſacriledg in robbing Father and Mother?* But you anſwer for me, that it is no ſacriledg, becauſe the means ſhall ſtil be ſetled on the Church: and thats a reaſon which you cannot anſwer: For ſacriledg is an alienating of that which was juſtly devoted for ſacred, to civil, or prophane uſe; therefore change, ſo there be a continuance of holy uſe, is no ſacriledg: Nor ſhall we rob our Father; for, as you confeſs, holy treaſure was firſt given to the Church in general: The Biſhops had not propriety, but uſe of ſome, and with the reſt they were to maintain the Presbyters, which are wanting in many places, for want of maintenance. Now for thoſe, in whom authority lyes to take care for the edification of the Church: To diſpoſe the Churches Patrimonie, ſo as may be beſt for edification of the Church, appointing it to maintain preachers, not pomp, will be counted neither ſacriledg, nor theft, by rationall and good men. But you ſay, " *we rob the* " *Church of her husband too; for though a Church have* 1000 " *Presbyters, yet ſhe hath but one husband: ſo that great Coun-* " *ſell of Calcedon*; but that Counſell ſpake according to the corrupt cuſtomes of thoſe times, not according to the tenure of Scriptures, who make all the Presbyters over-ſeers over their particular flocks, to dwell with them as men of knowledg, and to take care for them; and that's to be in your

ſence husband, is it not? After you have made the Church a widow without a Biſhop, you add, "*While a Widow, ſhe* "*can bring forth nothing but a baſtard brood, conſider that*; yes, I ſhall conſider it, but to your ſhame: what if a Church continue, as often it hath, through covetouſneſs and faction, long without a Biſhop, are all the Converts, begotten by the word of truth preach'd by Prebyters, baſtards? nay, what if Churches caſt off Epiſcopacie, are all her Presbyters baſtards? Do you thus gratifie the Papiſts, and abuſe all the Miniſters of our ſiſter reformed Churches? many of which far outſtrip you in all miniſteriall qualification; your aſſertion therefore is very conſiderable, to diſcover what a Popiſh ſpirit you are of.

For *Parag.* 20 Whether your concluſion will follow on the premiſes, or mine, I now leave to the judicious Reader. I would not have the King, for fear of the people, to do any unlawfull act: I diſclaimed it in the very entrance of my Caſe reſolved; but I only perſwade to what, for ought I yet ſee, I have proved lawfull; and that to reſcue a periſhing kingdom, and prevent the hazard of his Crown; which, that it may be free, and flouriſhing on his head, is my daily and heartie prayer, as thoſe that know me can very well witneſs, notwithſtanding your ignorant calumniations, to the contrarie.

Caſe of Conſcience Reſolved.

MY ſecond Antagoniſt exceeds the firſt, both in ſubtiltie and peremptorineſs; for he plainly affirms, that the King cannot deſert Epiſcopacie, without flat perjurie; and hence falls foul, both on thoſe that would force him to it: and alſo on thoſe moderate Courtiers, that for peace ſake, counſell'd it. He diſputes thus; There's difference between laws and oaths: Where the ſupream *Jus dominii* is, there is a power above all laws, but not above their own oaths, in whom that power is; for law bindes only while it is a law, that is, till it be repealed: But an oath bindeth as long as it pleaſeth him, to whom it is taken: The reaſon is, becauſe the

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ſupream power may *cedere jure ſuo*, and obliege himſelf where before he was free; which if they do by promiſe, juſtice bindes them to performance; but if by an oath, (the matter being lawful) then are they bound in religion and conſcience; for an oath adds a religious bond unto God. If this were not ſo, no oath were binding to them.

I anſwer; Firſt, its a ground laid down by this Author in the ſame place, that no oath is obligatorie beyond the intention of it; and then I firſt propound it to conſideration, whether the intention of this oath be not only againſt a tyrannous invaſion on the rights of the Clergie, not againſt an orderly alteration of them, if any prove inconvenient; and to protect them againſt violence, not againſt legal waies of change?

For firſt, this is as much, as is rationall for a King to undertake; and therfore in right reaſon, the oath ſhould have no other ſenſe, if the words of the oath will bear it, as the words of this oath will.

Secondly, this oath to the Clergie, muſt not be intended in a ſenſe inconſiſtent with the Kings oath, to the people, firſt taken for their protection in their laws and liberties; for then the latter oath will be a preſent breach of the former, and ſo unlawfull. Now one of the Priviledges of the People is, that the Peers and Commons in Parliament, have power, with the conſent of the King, to alter whatever, in any particular eſtate, is inconvenient to the whole. And therefore he cannot afterward engage himſelf to any particular eſtate, to exempt it from this power; for by that oath, at leaſt, *ceſſit jure ſuo*, in this Authors judgment; The Clergie and their priviledges, are ſubject to the Parliament, or they are not; I hope, they will not now claim an exemption from ſecular power: But if they be under Parliamentarie power, how can it be rationally conceived to be the meaning of the Kings oath, to preſerve the Priviledges of the Clergie againſt that power, to which they are legally ſubject? or how were the oath in that ſenſe, conſiſtent with the priviledges of the nation, formerly ſworn to by the king? If the oath had ſuch a ſence in times of Poperie, when the Clergie were a diſtinct Corporation; yet when that exemption was aboliſh'd, as a

branch of Anti-Chriſtian uſurpation: The change of their condition muſt needs change the intention of the oath, unleſs they will ſay, that the Crown ſtands ſtill engaged to them, to maintain ſuch priviledges as by Act of Parliament, were long ſince aboliſh'd, which is, to make his oath to them contrariant to that taken before, for the maintenance of the laws: Its apparent then, to make the intention of the oath to be againſt a legal alteration by Parliament, makes it unlawfull, and ſo not obligatorie. And if it be not intended againſt legall alteration, the king may paſs a Bill for the abolition of Epiſcopacie, when his Houſes of Parliament think it convenient, and petition for it, without violation of his oath.

CHAP. X. PARAG. 1.

Wherein is ſhewed, what the true intention of the Kings oath is, for maintenance of Epiſcopacie, in anſwer to Doctor Boughen's 8. *Chapter.*

I Come now to anſwer the 8. Chapter, wherein you were pleaſed to take in hand this paſſage, beginning with my anſwer to my latter opponent, firſt; and yet you did not make an end with him, before you undertook to reply to my anſwer to my firſt opponent; which how judicious it is, let the Reader judge: for what advantage you did it, you beſt know.

The queſtion is, you ſay, " *Whether the King may deſert* " *Epiſcopacie without perjury, a queſtion too high for any ſubject*; but you *are enforced to make that a queſtion, that is* " *harſh to loyal ears, leſt you may ſeem to avoid my ſubtile* " *and ſaucie cavils, as unanſwerable.* Good words, Doctor: If the queſtion be too high for a ſubject, have not I the ſame plea for medling with it, that you have, being led into it by my opponents? but the truth is, the queſtion is fit enough for diſcuſſion, ſo it be done with reverence; whatever I am, I know you will confeſs, that both my former opponents knew

knew as well their dutie to our Soveraign, as you your ſelf, and were as obſervant of it: when men are to act by counſel or prayer for kings, unleſs they know, in Caſes propoſed, what is conſcionable for him to do, or not to do, how can they rightly perform their duties? To balk ſuch queſtions therefore, on juſt occaſion, is not dutie, but flatterie; and to leave kings and their Counſellors without needfull light: But you have a quarrell to me, for ſaying "*my ſecond Antagoniſt affirms, that the King cannot deſert Epiſcopacie without flat perjury, and ſay, his words are far more mannerly*"; why did you not then ſet down his more mannerly words, but abuſe your reader with a falſitie? but you will prove the thing, "*that Epiſcopacie may not be deſerted without violation of oath, and the Church left to ſwine.*" No Sir, we would purge it of ſwine, and doggs too, which they expoſed its choiceſt outward priviledges to; but how do you prove it?

Firſt, *Parag.* 2. You go a begging, "*telling one of my confeſſion,*" when I do but take the words of the oath from my Antagoniſts mouth, and diſpute *ex conceſſo*, that the oath is as he relates it, To protect the Biſhops, &c, and then you bring your obſervations, "1. *Good Kings protect Biſhops*, 2. *They ought to do it.* 3. *In right they ought to do it.*" But when I confeſs, that theſe words are in the oath, muſt I therefore approve all that is in the oath, yea, and take them in your ſenſe too? I hope not.

Thus far I approve the kings protecting Biſhops, within the limits of their calling ſet them of God; but our Prelates have excluded their fellow-Presbyters. But thirdly, as *of right he ought to do*; I take to be a limitation how far he engageth himſelf, that is, ſo far as a good king in right ought to do, and if he go no further, he is injurious to none, though he diſpleaſes many, as you ſay, *Parag.* 3.

Parag. 4. You add, "*the King hath ſworn to be protector of the Church under his government, but that cannot be, unleſs he protect the Biſhops, who are the Miniſterial ſpouſe of the Church*": This is a falſe inference, for though the Miniſterie be neceſſarie to the Church, yet not your Prelacie, which is but an humane additament: your proof is preſumptuous,

tuous, to make any man a Miniſteriall ſpouſe of the Church, as well as it is for the Pope to be made a Miniſterial head of it.

Yet you repeat it, *Parag.* 5. With our frequent diſh of *no ordination without them*, which hath been often enough anſwered. You conclude, " *if Biſhops be of the ſame order with* " *the Apoſtles, you have* Calvins *acknowledgment, that the* " *Church cannot ſtand without them*: yea, and mine too, and yet never the nearer; for, *Ante Leves ergo*, &c. as ſoon ſhall you finde Harts feeding in the middle region of the air, as your Biſhops among the Apoſtles.

You add, *Parag.* 6. " *that the Church cannot be with-* " *out the Biſhop, if we believe* Cyprian, *that the Biſhop is in* " *the Church, and the Church in the Biſhop*; you add, *that* " *the Church is in the Biſhop, cauſally*, &c. If you underſtand by the Biſhop, the Miniſterie, and by cauſally, as an inſtrument of its preſervation; I grant it, without any inconvenience: otherwaies we can grant the Church to be cauſally in none other but Jeſus Chriſt, the true head of it; nor is there any other that is fountain of it: its as flat Poperie to judg otherwaies, as to make the Pope the head of the Church: nay worſe: For *Hart* makes the Pope to be the head; not as the fountain of life, as your ſimilitude imports: but only in regard of directing the outward functions; and yet for this, that mirror of learning, Doctor *Reynolds*, doth implead Mr. *Hart* of high treaſon againſt Chriſt. And I remember alſo there, a witty and rationall anſwer, that our learned Doctor makes to a place cited out of *Leo*. *He grants Leo was an ancient: learned, holy, and witty man, yet a man, and a Biſhop of* Rome, &c. *and applies to him a ſaying of* Tully *to* Hortenſius, *when he immoderately praiſed eloquence, that he would lift her up to heaven, that himſelf might go up with her*; *ſo did* Leo *lift up St.* Peter, &c. So *Cyprian* was an holy man, but a Biſhop, ſo he might extoll Biſhops, that he might lift up himſelf with them. See confer. between *Reynolds* and *Hart. cap.* 1. *diviſ.* 2. therefore your premiſſes have not yet force to draw my conſent to their concluſion.

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Parag. 12, 13. You take *into conſideration my Caſe, of* " *a Captain, engaged by oath to maintain the Priviledges of* " *Townes-men, and keep a town to his power, whether he may* " *not, notwithſtanding his oath, make his compoſition, (if he* " *cannot defend it without the Townes-men, and they will not* " *fight) without violation of his oath? I think, none will affirm* " *it. You do not only deny it, but take the Name of God in* " *vain, to make a jeer at it, doth that become a Divine?* But let's hear your reaſon; *becauſe there's no town in* England *can* " *have ſuch a priviledg, as not to bear arms againſt the Kings* " *enemies.* Suppoſe it be ſo, I am no Lawyer; yet you know its not unuſuall in caſes, to ſuppoſe things that are not, ſo they be not impoſſible, as this is not; for the king may grant ſuch an immunitie if he pleaſe, that none ſhall be compell'd to bear arms, and therefore it was but a ſhift; that error in the Caſe may be eaſily mended, and it will pinch the Doctor as hard as ever it did; for ſuppoſe that ſo many of the ſouldiers in the town are ſlain, or taken priſoners, that the Governour can defend it no longer, then I hope Mr. Doctor will yield that he may make his compoſition; ſo was it with the king, at the publiſhing my ſmall Treatiſe; and now, notwithſtanding my former fails (as he ſaith *Parag.* 14.) for want of skill in law; the difficulty is returned on the Doctor, get out how he can.

I make an Objection, that though the king cannot in ſuch a ſtate uphold them; yet it is in his power not to conſent to their fall; this, I ſay, is the only exception. The Doctor ſaith, " *its a juſt one, though not the only one*; yet he ſhews no other: but then he is angry for the phraſe, *peremptorineſs*, " *in denying aſſent to the fall of Biſhops, uſed to the King as uncivil.* I am no Courtier, (I confeſs) and may fail in phraſe; yet peremptorineſs in a candid ſenſe, is no more then reſoluteneſs, ſo I mean it: but I will ſtrive hereafter, even in expreſſions, to cut off occaſion from them that ſeek occaſion.

But you ſay, " *his not conſenting to the fall of Biſhops, may* " *keep him from ſin.* But you beg the queſtion; for I argue by my inſtance, in a Governour of a town, that there is no ſin in reſigning upon compoſition; and your proof, that it is a ſin to conſent to aboliſh Epiſcopacie, becauſe an ordinance of Chriſt, waves the bonds of the oath, and argues from the thing; the vanity of which I confuted, when I met with it, Chap. 4.

Parag. 16. You anſwer, " *though the King cannot ſave* " *your Mitres, but endanger his own Crown, yet* (ſay " you) *he ſhall avoid ſin and ſave his ſoul, for without con-* " *ſent, no ſin.* Neither in conſent is there ſin in this caſe, as I have proved; and then a king, I hope, may do all that may be done, without ſin, to ſave his Crown: but in the mean time, the land may ſee how tender you are of the king, that rather then you will conſent to his ſigning a Bill when it may ſave his Crown, he ſhall loſe it. It's a ſign you love the Crown for your Mitres ſake; and if there muſt be no Biſhops, then let there be no kings neither. Rightlike him in the Tragedie, ἐμοῦ θανόντος γαῖα μιχθήτω πυρί.

Parag. 17, 18. You examine, " *that I ſay in a naturall* " *ſence, it is in the Kings power to conſent to the abrogation* " *of Epiſcopacie, not in a morall ſence, becauſe he cannot now* " *deny without ſin*; the diſtinction you acknowledg, and ſay, *it ſhould be the Kings care, that he incline not to ſin.* I ſay ſo too, he muſt venture all, rather then ſin; and if I thought it were ſin, I ſhould chuſe death, rather then perſwade him to it; but you confidently conclude, *the King* " *breaks his oath, and ſins if he conſent.* This I deny, the oath engageth not to diſſent in this caſe, as I have proved: yet were Epiſcopacie an inſtitution of Chriſt, I confeſs alſo, it were ſin to aboliſh it: but I have proved it a brat of humane power; and what man ſets up, you confeſs man may pull down.

But I prove, that the king cannot deny his aſſent to abrogation of Epiſcopacy now, without ſin, for elſe ſuch confuſion will follow, as is moſt repugnant to the weal of his people; this confuſion we have felt: but what ſaith the Doctor to this, Parag. 19. " *Thus ſhall ſin vary at your pleaſure, ſin*

" *it ſhall be now, that was none heretofore.* Why Sir, is that ſtrange, that circumſtances ſhould change the morality of actions? I am aſhamed, that a D. D. of mine own mother Univerſitie ſhould diſcover ſuch ignorance in Divinitie. Was it not a thing unlawful in the Apoſtles time, after the Decree, *Acts* 15. *to eat things ſtrangled, and bloud*, where offence was taken; but cannot you without ſcruple, now eat a good blood-pudding, or a ſtrangled capon? truly, if you cannot, you would get more ſcorn, then followers, for ſuch a ſilly fancie.

But you proceed, Parag. 20. " *Where there is no law, there* " *is no tranſgreſſion.* Is there no law, for a King to tender the weal of his people? yes, ſure that that requires him to be honoured as a father; and therefore, if he withholding his aſſent, occaſion the keeping up confuſion, repugnant to the weal of his people, undoubtedly there's a law broken, unleſs there be ſome ſuperior law to check this. Oh, but Judge *Jenkins ſaith, its againſt the oath of the King and Houſes, to alter the government for religion.* But I pray you ask, the Judge whether it be againſt their oaths, to alter the religion, from Popery to Proteſtancie? and withall, whether is greater, the religion, or the external government of it? and if without perjury they alter the greater, why may they not the leſs? " *for the trouble, that the learned in law ſhall be put to on alteration*: If you compare it with garments rolled in blood, let the Reader judg, whether you be a prudent eſteemer of matters.

But you retort, *Parag.* 21. " *If the King do conſent to* " *abrogate Epiſcopacie, there will follow confuſion, repugnant* " *to the weal of his people.* Your reaſon is, *that there are as* " *many for Epiſcopacie* (Common-Prayer is another buſineſs) " *as againſt it, though not ſo mutinous.*

I anſwer, the danger of confuſion is not from the number or quality alone, but alſo from the power of oppoſers, which then was very great, and the adverſe party weak; therefore your retortion was feeble. I confeſs, the ſins occaſion'd by this confuſion endanger temporal and eternal weal of

people; that's it that makes me so study the healing of it.

Parag. 22. You infer, " *that I mean to continue these di-*
" *stractions, unless Episcopacie be abrogated* But you are mistaken in me; though I have no good conceit of Episcopacie, yet I had rather it had continued, though to my burthen and suffering, then have seen so much sin and misery by an unnatural war; but your expressions carry it, that your minde is so, Episcopacie may be held up: *Scelera ipsa nefasque hac mercede placent.* You are as much mistaken in objecting ambition, or avarice to me, as a cause of these evils: I have by Gods grace, followed the dictate of my conscience, above these twenty years, against my civill interest: and I hope, I shall not now become such a slave to lust, to do such a horrid thing, to serve it.

You close this Chapter, Parag. 23, 24. " *with paralel-*
" *ing our present times with the conspiracie of* Corah; and when you can prove by Gods Law, such a difference between Presbyters and Bishops, as God made between Priest and Levites, it will give a pretty colour to the business; but as long as Gods Word tells us, that Presbyters are Bishops and Pastors, nor hath he left any distinct orders among Pastors, you may please your self, and credulous followers, with your conceit, but shall not convict those of any guilt, that for peace-sake, move, that man would abolish that difference of order which the wit of man made, and the corruption of man hath made hurtfull. God make the Scepter of the *King* flourish, but as for your Episcopall Mitres, they have been so stained by those that wear them, that well may they get power, but I believe they will never get beauty and glory in our Israel again.

Cas

Case of Conscience Resolved.

THirdly, I answer, that this Opponent in this Dispute, argues upon this ground, that the supream *jus Dominij*, even that which is above all laws, is in the King: which under favour, I conceive in our State is a manifest Error. There's a supremacie in the King, and a supremacie in the Parliament. But the supremacie, or the *supremum jus Dominij*, which is over all laws *figere*, & *refigere*, to make or disanul them at pleasure, is neither in the King, nor in the Houses apart, but in both conjoyn'd. The King is the supream Magistrate, from whom all power of execution of laws is legally derived. The Parliament is the supream Court, by which all other Courts, which derive their power for execution of laws from the King by his Commissioners, are to be regulated; and the King and the Parliament are the supream power to make and disanul laws. Sith then this *supremum jus Dominij*, that is over all laws, is not in the King: He cannot lawfully make any engagement to any against the laws, and legal rites of others; for that were not *cedere jure suo, sed alieno*. This oath then to the Clergie cannot engage him against the legal priviledges of the people, or the Parliament, which he is bound to maintain; one of which is, to be readie, by confirming needful Bills, to relieve them, from whatsoever grievance they suffer from any. And thus, I think, the Case is sufficiently cleared, that notwithstanding the Kings oath to the Clergie at his Coronation, he may consent to the extirpation of Prelacie out of the Church of *England*.

CHAP.

CHAP. XII.

Wherein it is cleared, that though the King be the Supream Magiſtrate, yet that ſupremacy which is over all laws, is in this Kingdom, not in the King alone, but in the King and Parliament; in Anſwer to Doctor Boughen's 17. *Chapter.*

I Come now to your laſt Chapter, entituled, *Whether there be two Supremacies in this Kingdom?* But why not as wel, three? You know I make three ſupremacies, but two fitted your Bow better, which you had prepared to ſhoot your Arrows in, even bitter words: But I ſhal let you ſee, that as there is more vapour, ſo more vanitie and lightneſs in this, then in any other Chapter; and ſome of it againſt your own words, and I believe more of it againſt your own light. Firſt, you begin to tell me, *That I blame them that ſet up two ſupremacies, and yet cannot ſee the beam in my own eye, and then calumniate at pleaſure.*

Yet all is but winde: I blame them that ſet up two abſolute ſupremacies, that had power to make laws independantly one of another: onely the Clergie had the better end of the ſtaff; for the Laytie muſt be ſubject to their laws, but they would be exempt from the Layties. This I condemned out of *Marſilus Patavinus*, as an enemy to quiet, becauſe ſuch were alwaies apt, and uſually in act, claſhing one againſt another. But the ſupremacies that I ſpeak of, cannot croſs one another, ſo no danger of diſturbance. Again, *Doctor*, in ſober ſadneſs, do you not know a difference between a ſupremacy, and the Supremacie? A *D. D.* cannot be ſo ignorant You cannot chuſe but have learned the difference betweet *abſolute ſummum*, and *ſummum ſecundùm quid.* Chiefs, in ſome reſpect, may be many, chief abſolutely, but one; and when I ſay, a Supremacie, did not that hint to you onely a Supremacie *ſecundum quid*, in ſome reſpect onely? and yet

more expreſly, when I call it the ſupream Court, that is, ſupream, not abſolute: but in reſpect of judicature, there lies an appeal from all Courts to it by petition, but from it to none. Is not this a Supremacie? Nay, do not you your ſelf aſcribe as much to it, when you ſay, 'This I ſay, that the Parliament "is Curia Capitalis, the ſupream Court of this Kingdom? Your own words, pag. 136. if Supream, there's ſupremacie, quicquid dicitur de in eſt in; it cannot be denominated ſupream, but there is ſupremacie in it, in ſome reſpect; denominatio ſit ab inhæſione; did you not then cavil againſt conſcience at a ſupremacie in the Parliament, and raiſe duſt to darken the light?

Parag. 2. After a light quirk, misbecoming a D. D. you ask 'Whether this be not againſt the oath of ſupremacy, where-'in we ſwear, that the Kings highneſs is the onely ſupream 'Governour of this Land, &c? How are my poſitions againſt this oath? Do not I aſcribe to the king, to be the onely Supream Magiſtrate? You that could play with ſummum, and ſupremus; Can you tell us a difference, between Magiſtrate, and Governour? If not, he that aſſerts the King the ſupream Magiſtrate, reacheth the ſence of that oath, which maketh him ſupream Governour. Therefore I need fear no humane penalties againſt perjurie, for this; No, Doctor, I hope once, the Lord will not hold him guilty, will more make me dread perjurie, then all other penalties.

Parag. 3. you ſay, I clip his Majeſties wings, and ſay that "the ſupremum jus Dominij, which is above laws, figere, & re-'figere, is not in the King, to ſay it is in him, is in our "State a manifeſt error. Whats become of the oath of Supremacy then (ſay you)? Safe enough ſay I, The King remains ſtill ſupream Governour; he is ſaid to be onely ſo in government, which notes execution of laws, and ſo doth the phraſes Eccleſiaſtical and Civil; but (you ſay) in your eſtate it is no error. Sure Sir, in King Charles his Kingdom of England it is an error; in which aſſertion, I ſhould not have been ſo peremptory at firſt, nor now, had I not received this light from his own pen, in his anſwer to the Parliaments 15. Propoſitions, ſent to him in York-ſhire; where firſt, he tels them, that

Col. of Remonſt. and pag. 320. 321.

that the experience, and wiſedom of their Anceſtors, hath ſo moulded our government, out of a mixture of all the three, viz. *abſolute Monarchy, Ariſtocracy, and Democracy, as to give to this Kingdom, as far as humane providence can provide the conveniences of all three, without the inconveniences of any one,* &c. *And then a little after. In this Kingdom, the laws are joyntly made by a King, by an Houſe of Peers, and by an Houſe of Commons, choſen by the people, all having free votes and particular priviledges. The government, according to theſe laws, is truſted to the King,* &c.

Have not I now followed my copy right? the ſupream power to make laws, is Ariſtocrati,cal in three States, free to vote, and the King the ſupream Magiſtrate to execute laws. One would think, if this would not make you bluſh for what is paſt, yet it may ſtop your mouth for future; and I need not ſay no more on this point; yet I will give a little touch to ſhew the vanitie of your flouriſhes.

Your *Parag.* 4. Is a meer flaſh, *attended with the ſparkles of light calumnies*; For I have not made one of two, I yet leave one abſolute Supaemacie, as you confeſs in the next *parag. the Supremacie to make and unmake laws.* This is neither in King, nor Houſes apart, but conjoyned.

Here then we are fallen back to one Supremacie. Why did you then trifle ſo much about two? But this (ſay you) is to skip from *Monarchie* to *Ariſtocracie*; juſt as his Majeſtie hath told you, in this government there's a mixture; its Ariſtocratical *in Legislation*, Monarchical for execution; and therein is the excellency of it; the one being fitteſt for Law-making by ſolidity; the other for execution by celeritie; and yet this D.D. jeers, as though this was never ſeen before, becauſe he wanted eyes: But now comes a precious one. He believes it well appears, "*That ſupremacie over all* "*Laws, to make or diſanul them, is in the King alone, at the Pe-* "*tition of both Houſes. Ridiculum caput*; for its as much as to ſay, its in the King alone with the help of others; a notorious Bull. That power is in a man alone which he can execute without the concurrence of others; but this tho King cannot do, without the Houſes manifeſting their conſent-

'fer them to oppreſs one another; but not to deny any Bill, that upon adviſement, ſhall be preſented, and manifeſted to conduce to the weal-publique.

You proceed, Parag. 11. "*The intention of the oath, is to "maintain the ancient, legall, and the juſt rights of the Clergie.*

I have anſwered, it is to maintain them againſt illegall oppreſſion, but not againſt legall alteration, that you ſhould prove, but do not. The continual practice of the nation is with me, wherein by divers ſtatutes, many Canonical Priviledges have been altered, as 25. *H.* 8. all Canonicall Priviledges, contrariant to the Kings Prerogative and civil laws, and 1 of *Elizabeth*, in giving power to the Crown to exerciſe all Eccleſiaſticall juriſdiction, by whom ſhe will appoint; and this is all that I affirm, that Priviledges are alterable by an orderly way in Parliament, and therefore *you may take the Ghoſtly Fathers place to the man of ſin*, which you would bequeath to me; you are fitter to ſerve the Pope then I; you hold, *no Biſhop, no Church*: but ſuch paſſions I look at, but as winchings when an argument pincheth.

For Parag. 12. I conſent to Sir *Edward Cook*, in his opinion, *of the Kings engagement, to maintain the rights and inheritance of the Church*; nor is he againſt my limitation, for its known what his opinion was, of the power of Parliaments; That they might alter what ever they ſaw inconvenient to publikeweal.

In your parag. 12. You wilfully ſlander me, *that I would "perſwade the Laytie, that the Clergies weal is their woe.* I only affirm, that if all ſuch Priviledges of the Clergie, that are in their nature alterable, be made unalterable by the kings oath; (that let the kingdom ſink or ſwim, the King cannot conſent by Act of Parliament, to alter them,) then are they inconſiſtent with the people; and this I ſay again. And I am carried thereto, by evidence of truth, and not any *caninus appetitus* after wealth and honour. Thoſe that know me, will but laugh at your raſhneſs, in theſe miſtaken calumnies.

The former part of your 14. Parag. is paſſionate non-

ſenſe; the latter part is a contradiction; for you ſay, "*if this oath be not againſt legall alteration, in the true and* "*literal ſenſe*, &c. *The King may not, Without violation of* "*his oath, paſs a Bill for the abolition of Epiſcopacie.* What (I pray you) is legall alteration, of any thing here in *England*, but alteration by conſent of the King and Parliament? How can this oath then, if it be not againſt a legall alteration, be againſt an alteration by Bill in Parliament? which is the only legall alteration of Priviledges, founded on law in *England*; you are the ſtrangeſt opponent that ever I met with, you make nothing of giving the cauſe, and railing at me for carrying it.

To as little purpoſe is all you conclude with, parag. 15. Whereas I ſay, he may paſs a Bill; *you wonder, I ſay not, he* "*muſt paſs a Bill*; you add, *I ſay that which is equivalent.* "*He cannot now deny conſent Without ſin*; but yet Sir, this muſt ariſe, not from any authoritie of the Houſes, but from the condition of the King, to preſerve, or reſtore peace to his kingdome: For the kings negative voice, I alwaies aſſerted it, as well as you, both in word and writing; but I affirm, he hath power of an affirmative voice, to confirm any thing that is for good of his people, which he hath not, nor ought not to ſwear away.

It may be, you will ſay, true, if abolition of Epiſcopacie were for the good of the nation.

I anſwer, that's to paſs to another queſtion, and to grant this in hand; but beſides, the King and Parliament are to judg of the goodneſs of it, for the nation; and if they erre, they are anſwerable to God alone.

Caſe of Conſcience reſolved.

SEcondly, I anſwer, from the expreſſions of the oath it ſelf, as they are ſet down by the ſame Author, pag. 74. To protect the Biſhops and their Priviledges, to his power, as every good king in his kingdom, ought to protect and defend the Biſhops, and Churches, under their government.

Here you ſee, the engagement of the king, is but to his pow-

er,

er, as every good King ought in right to protect, &c.

Now ſuch power is no further then he can do it, without ſinning againſt God, and being injurious to the reſt of his people. When then he hath interpoſed his authoritie for them, and put forth all the power he hath, to preſerve them; if after all this, he muſt let them fall, or ſupport them with the bloud of his good ſubjects, and thoſe unwilling too, to engage their lives for the others priviledges; I think none need queſtion, but that he hath gone to the extent of his power, and as far as good Kings are bound in right; for it is not equall, to engage the lives of ſome, to uphold the honours of others. That were to be cruel to many thouſands, to be indulgent to a few. Suppoſe a king put a Commander into a City, and give him an oath, to maintain the Priviledges of it, and keep it for him to his power; and this Commander keeps this town till he hath no more ſtrength to hold it, unleſs he force the Towneſ-men to arms, againſt that priviledg which he hath ſworn to maintain. If this Governor now ſurrender this town upon compoſition, doth he violate his oath? I think none will affirm it: Such is the caſe with the king in this particular: when he hath gone as far in their protection, as is conſiſtent with the weal of other his liege people, which he is ſworn to tender; he hath protected them to his power, and his obligation is no further by the words of the oath.

The only objection, as I conceive, which lyeth againſt this, is, that though it be not in the Kings power to uphold them, yet it is in his power, not to conſent to their fall.

Anſw. If the king ſhould be peremptorie in denyal, what help would this be to them? Such peremptorineſs in this circumſtance, might indanger his Crown, not ſave their Miters. Beſides, though it be in his power to deny aſſent to their abolition, in a natural ſence, becauſe *voluntas non poteſt cogi*; yet is it not in his power in a morall ſence, becauſe he cannot now deny conſent, without ſin; for if he conſent not, there will evidently continue ſuch diſtraction, and confuſion, as is moſt repugnant to the weal of his people, which he is bound, by the rule of government, and his oath, to provide for.

CHAP. XI.

Shewing, that the King is not bound to protect the Bishops honours with the lives of his good subjects, in answer to Doctor Boughen's 16. *Chapter.*

I Proceed to the answer of your 16. Chapter, entituled, *how 'far forth the King ought to protect the Church and Bishops.* You begin, " *it is confessed to my hand, that the King is en-* " *gaged, to his power, to protect the Bishops and their Privi-* " *ledges, as every good King ought in right, to protect the Bi-* " *shops and Churches under their government.* It is confessed, that these are the expressions of the oath, as it is set down by the Reviewer; but you should conceive, that I propose these two clauses, as limitations of the kings engagement, that is, 1. *To his power.* 2. *only so far forth, as in right he ought*; and I do not say, the engagement is put upon him by the Author, as you ignorantly suggest, but that these are the expressions of the oath, delivered by the Author; but he is not, in right, bound to protect their priviledges against an orderly alteration by act of Parliament, if any appear inconvenient to the whole body, for that is not right.

Parag. 2. You *confess, the King is not bound further to ex-* 'ercise his power in protection of Bishops, then he can do it with-' out sinning. And I after prove, he cannot so protect them, as to denie a Bill in that circumstance of affairs he and the land were in, without sin; what you answer to my proof, will be seen in the sequel of this Chapter. How I have answered your proofs, *that he cannot let fall Bishops without mischief to his people, &c.* in your eighth Chapter, let the Reader judge.

In that you say, *parag.* 3. *That the Kings interposing the* 'power he hath, *vexeth my confederacy*; Is I doubt your wilful ignorance; for the frame of my Book might clearly enough hint unto you, that I, neither was of, nor liked any confederacie

confederacie againſt the King.

Neither have I, as you ſay, *parag.* 4. *Confeſt that what 'the King hath done, is right.* Right it is indeed upon his principles: But I do not think, the King is bound in right to maintain Biſhops, *in ſtatu quo*, in the ſtate wherein they were; and he is willing now to regulate them by their Preſbyters. But whatever I confeſs in juſtification of the King, *is not* (as you ſay) *the juſtification of an enemy*; unleſs he that pleadeth, prayeth, ſuffereth for the King, and his juſt and Kingly libertie, be his enemy, becauſe he is againſt the uſurping power of Biſhops.

Parag. 5. *If after all this, he muſt perforce let the Biſhops 'fal, you and your ſchiſm have much to anſwer for.* Still a Slanderer; its none of my ſchiſm, to force the King to let them fall; for though I prove, he may let them fall; and that it is for the advantage of the Church, that they ſhould fall; yet I was alwaies againſt forcing him to it; for, I think, it is much more reaſon, that his conſcience ſhould be left free in its determination, then my own, or any private mans, in as much as God hath ſet him in ſo high a degree of eminencie in his Kingdoms.

But that you ſay, *the ſword was never drawn on the Kings 'ſide, to maintain Religion eſtabliſhed: They never learn'd to 'fight for Religion*; It is an ignorant ſpeech, misbecoming a D. D. For what juſter cauſe of War, or more weightie, then to maintain Religion eſtabliſh'd? Its true, we may not fight to ſet up a Religion (which is true) againſt the laws and authoritie of the land where we live; that were againſt the direction to Chriſtians, under Heathen Emperors, *Rom.* 13. 1. 2. But to joyn with authoritie to maintain Religion eſtabliſh'd, (ſuppoſing it true) with the laſt drop of our blood, is the moſt glorious quarrel; and ſo I doubt not, but the Royal partie learned, though not from you, yet from better Divines. For your clinch about *good ſubjects*; Its frivolous; for the War coſts blood on both ſides, and the King loſeth on both ſides, for all are his ſubjects, and I doubt not, but he hath good Subjects on both ſides, in regard of meaning, and intention, though its true, one ſide muſt needs

needs be in a grand error.

Parag. 6. You confeſs, *it is an hard caſe for one man to 'engage his life for the maintenance of anothers priviledges. 'But who did ſo? Not a man* (ſay you) *engag'd himſelf, but by 'the Kings command, which you after prove, and ſtate the "queſtion as you pleaſe.* But this is but to ſhuffle, and alter the ſtate of a queſtion, to elude the force of an Argument, which you cannot anſwer: That which I ſaid, was, it was not equal for the King to engage, by his command, the lives of ſome, to maintain the priviledges of others, which I ſpake upon this ſuppoſition; That if the King had condeſcended in point of Epiſcopacie, the War would have been at an end, Laws reſtored to exerciſe, *&c.* For both City, and the Scotiſh Nation, would have cloſed with him: and for this cauſe alone, *viz.* to maintain power of Biſhops, I ſay, it would not have been equal to have engaged the lives of others; nor were they willing, as I have been informed, Nobles, nor others. It may be, the King thought condeſcention in this, would not have ſet him and his people, in quiet poſſeſſion of their rights; but I cannot but wiſh, that it had been tryed, that nothing lawful had been omitted, by which there was any hope to have ſaved a great deal of miſery, that his Majeſtie, his Royal relations, and the whole Nation hath ſuffered.

But *Par.* 7. You deny *them to be others priviledges, and affirm "them to be the peoples, becauſe they reap ſpirituals from them.* But truely I muſt tell you, that the people reaped but little in ſpirituals from many of the Biſhops, who ſeldom preached themſelves, and rob'd many people of their ſpirituals, by ſilencing their Miniſters; and though there were no Biſhops in *England*, the people may reap ſpiritual things from the Clergie, as plentifully, if not more, then ever they did; as well as without them, they do in other reformed Churches. But what you add, "*That in the ſuffering of the Clergie, all Families ſuffer, you ſubſtitute Clergie for Biſhops.* Other of the Clergie may be in better condition by the removall of Lording Biſhops; but in your *proof that one of the Tribe 'of Judah, of the moſt remarkable Family, turn'd Prieſt:*

That

That is ſo groſs an overſight, that it is moſt unbeſeeming a D. D. for its expreſly ſaid, that young man was a Levite by birth. And the argument of *Micah*, plainly proves him ſo, or elſe he had been in no better caſe with him, then with one of his own ſons, whom he had conſecrated, if that would have made a Prieſt. See *Judg.* 17. v. 5. 13. The Levite indeed turned Prieſt, which was his wickedneſs; for a Levite was not to do the Prieſts office. There is indeed an ambiguous expreſſion, touching this Levite, *v.* 7. *A young man of* Bethlehem Judah, *of the family of Judah.* But if you had conſulted Interpreters, you would have found them generally agreeing that he was a Levite, though differing in their opinions, how he was of the family of *Judah.* Some ſaying, by his Mother, ſome referring it to the City, to diſtinguiſh it from another *Bethlehem* in *Zabulon*, &c.

You add, *parag.* 8. *What if* Magna Charta *do oblige all* "*to ſtand up for the due obſervation of theſe priviledges? then* "*we muſt acknowledg that we are bound to obey his Majeſty* "*commanding*, &c. Still you alter the queſtion; for the queſtion is, Whether it can be ſuppoſed equal, that the King ſhould ſtand bound to engage the lives of many, for the priviledges of a few Lord Biſhops. I hope, you think it not the meaning of *Magna Charta*, that every one ſhould engage their lives for every paltrie priviledg of another. But its well you can now confeſs, that *Magna Charta* is a great and juſtly magnified Charter. If you and your Prelates had been of this minde formerly, and not been ſo deep in breaking, and countenancing the breach of it in others, by illegal impriſonments, impoſitions, fines, both of Laytie and Clergie: *England* might have ſcap'd this *cannenſem calamitatem*, this mine-threatning calamitie, under which it is readie to expire; to which the breaches of *Magna Charta* gave the firſt occaſion, and the faireſt colour.

Parag. 9. You make an objection *touching Abbots and* "*Priors provided for by the ſame Charter, yet ſince taken a-*"*way by act of Parliament, which you confeſs. But firſt, you* "*you would have us obſerve, how they proſpered that did it.* "*Secondly, that Maſter* Beza *and my ſelf call it ſacriledg.*

We

We do ſo, and that we judge the cauſe why they proſper'd not that did it, becauſe they did it with that ſinful circumſtance of devouring holy things, which ſhewed alſo their want of ſinceritie in it. Thirdly, you ſay, *that they are for it ſtiled enemies of our Sovereign.* But they did not hear it, they were born long after the Statute of 25. *Edward* 3. Fourthly, you cite the *Counſel of Chalcedon, that no conſecrated Monaſtery may be turned to a ſecular dwelling.* I anſwer, Counſels may erre, and ſo may that of *Chalcedon*; if the profit of the houſe had been imployed for pious uſes; I ſee no ground of complaint or cenſure. Fiftly, you ſay, *you hope "I will make a difference between our Saviours inſtitution, and "mans invention.* Truely I do, and have proved Dioceſan Biſhops to be no inſtitution of Chriſt, but man, in the foregoing Diſcourſe. And laſtly, *I joyn with the wiſhes of thoſe "pious men, and move (as you know) not a devouring but a di"verſion of Chathedrals maintenance*; (Beſides what is requiſite to maintain needful preaching there,) to procure and encourage able Parochial Paſtors (who are the undoubted Ordinance of Jeſus Chriſt) all the Land over.

Parag. 10. You do but beat the ſame buſh again, in citing again *Magna Charta.* I confeſs, the kings engagement to maintain the Priviledges of the Clergie, ſo far as he is bound by right; nor is any act of the king, or the Houſes without the king, valid againſt it; but king and Parliament joyning, they may over-rule ſome parts of it, and upon juſt ground warrantably, as appears in all experience, as in paring Epiſcopall Canonical priviledges, niminiſhing their juriſdiction by the high Commiſſion annext to, and ſet over Biſhops, &c.

Parag. 11. You enquire, " *Whether it be equall to engage "the lives of ſome, to deſtroy the honours of others?* This is impertinent to my Caſe, and though I count not your Biſhops plantations of Gods right hand, yet ſith they had footing by law, it hath been my grief, that force hath been uſed to pluck them up, for me they ſhould have ſtayed for his day; who hath ſaid, *every plant that my heavenly Father hath not planted, ſhall be plucked up*; but when I have made complaint

of

yond the intention, that is, ſay you, *according to the common "plain and literall meaning of it*; good: as the plain literall meaning is to be found out of the grammar of it: and other circumſtances, that may convince Reaſon of the intention of it.

You add, *Parag.* 8. "*That the oath is to the Clergie, The "King muſt have reſpect to them and their intention.*

I anſwer, not mentall, but what the words of the oath import, conſidered with its circumſtances; nor ſo much to the intention of the now giver, as the firſt framer.

Now, I beſeech you, if the King ſhould have ask'd the Biſhops, at the giving, whether if a Caſe ſhould fall out, that he muſt not only venture (which he hath done,) but loſe his Crown, rather then fail to ſave them, whether they would have ſaid, yea, that is the meaning: Truly I believe not, and if they had, the King and Peers, and people, would have hiſſ'd them out rather, then the one would have perſwaded, or the other would have yielded to have taken it with that ſenſe and intention.

Parag. 9. You enquire, "*whether what hath been done*, "*hath not been a tyrannous invaſion?*

I anſwer, there hath been too much tumult, and Miniſters have ſuffered too irregularly on both ſides; but when the Houſes preſent a Petition to the king, with a Bill, for abolition of Epiſcopacie, that only is the regular way, that I defend the king not to be ingaged againſt.

Parag. 10. You ſay, "*it Was his duty to protect you while "it Was in his power.*

I anſwer, it was, and is his dutie, ſo far as it was intended in the oath, but was not to hazard the deſtruction of himſelf and kingdom, for your Prelates; yet I adviſe not the breaking of his oath, as you would hint; but I limit the intention of the engagement of the oath, as in reaſon it ought to be. *If you be not againſt an orderly alteration*, (as you ſay, Parag. 4.) You grant the queſtion, for then if the Parliament lay down their ſwords, and come with a Petition to deſire his aſſent, notwithſtanding his oath, he may aſſent, which was the thing to be proved.

For my part, I abhor force upon a king; but if he might ſign a Bill without force, I ſee no reaſon why danger of force can make it unlawfull.

To *Parag.* 12. I ſay, if the king hath done his beſt to protect them againſt violence, they can require no more, he hath done as much as his oath doth require; now he may take care to preſerve himſelf, iſſue, and people. And for his Miniſters, let them anſwer for themſelves.

CHAP. X. PARAG. 2.

Shewing the right ſence of the Kings Coronation-Oath, from this, that what he undertakes for the Biſhops, muſt not be conceived to croſs what he hath promiſed to the people; in anſwer to Doctor Boughen's 8. *Chapter.*

I Proceed now to anſwer your eight Chapter, whoſe very Title is ominous, "*Whether the Kings Oath taken to the 'Clergie, be injurious to his other ſubjects, and inconſiſtent 'with his oath to his people.* Hereby you would inſinuate, that I affirm it is, whereas I affirm, it cannot be conceived ſo to be, and therefore we muſt not put a ſence upon it to make it ſo to be; and from this ground, I impugne your falſe ſence of the oath, namely, that it takes away all power from the King, at the ſuit of his Parliament, to alter any of their juriſdictions, whereof they ſhew the grievance. Its therefore a calumnious inſinuation of yours, *that I do ſet the liberties of the people againſt the Clergies*; Its your falſe inhanſing your priviledges above thoſe of the people, alterable by King and Parliament that is guiltie of the incompatibilitie of their priviledges, if ſuch an evil be; and therefore I ſay Amen to your prayer, cloſing. *Parag.* 1.

Parag. 2. I agree *that Gods law is unalterable by man*: And I deſire no more from you then that, '*what is ſeted by 'man is alteral le by man.* For I plead for alteration of no priviledg, but what is from humane indulgence, and that ſuch

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an one too, that the Church may better want it, then have it in her Clergie.

That of *Par.* 3. 4. Touching *juſtneſs of laws*, may paſs with ſome Animadverſion of that of *Ocham*, *that laws, nemini notabile afferant nocumentum*: If by *nocumentum* we underſtand dammage. For the law to pull down the houſes in *Rome*, that ſtood in the *Augurs* way, (their principles granted) was juſt, yet it brought notable dammage to the owners, but the publike good was to carrie it away: So laws among us againſt Monopolies undid ſome; yet the publike emolument made the law juſt.

Parag. 5. 6. Are ignorant, trifling, or worſe: For firſt, *you quarrel at the phraſe, the protection of the peoples laws; who 'ſay you, made them Law-makers?* Not I Sir, but when King and Parliament have made them, they have propriety in them. The privileg of them is uſually called part of their birth-right. A man may call an houſe his own, becauſe he poſſeſſeth it, and hath the benefit of it, though he made it not. So I call the laws the peoples: But yet the following cavil is worſe: For whereas I ſay, one of the priviledges of the people is, that the Peers, and Commons in Parliament, have power, with conſent of the King, to alter what ever, in any eſtate, is prejudicial to the whole; *I had thought* (ſay 'you) *this had not been a priviledg of the people, but the Par-'liament Repreſenters, not the people Repreſentees, &c.* And again *parag.* 6. '*How the Lords will take this, I know not*; '*Can they endure their power to be derivative? &c.* Which all are but trifling and odious miſtakes: For he might well know, that by People, I mean all, in diſtinction from the King, of what ſtate ſoever, Peers, or others: Nay, doth not he himſelf take it ſo? witneſs his own expreſſion, *pag.* 49. *lin.* 1. 2. '*Under this Word People, are comprehended the Nobility, Clergy, and Commons of this Kingdom.* How trifling then are his exceptions, as though I ſet the people againſt the Parliament? When under People, I comprehend, as himſelf doth, all the Members of the Parliament.

And yet more abſurd is your trifling, *parag.* 7. in arguing againſt thoſe words, '*That the Peers and Commons, have*

'power to alter whatsoever is inconvenient, because it is in the 'Kings consent to confirm, or cause a law. Sith I add in the same place, as you confess in parag. 8. with the consent of the King, and so ascribe not power of alteration without him, but with him: sure (as they say) the Eagle is hungrie, when she catches at such Flies.

As impertinent are your questions and answers, parag. 8. 9. But parag. 10. You proceed to number up the 'inconveniences that will arise to the people, by stripping the Clergy of 'their immunities. But you must tye your self to the immunities in question, else you say just nothing to the purpose. 'First, the curse for sacriledg; but I have freed the alteration intended from guilt of sacriledg, and therefore that is the curse causeless, that shall not come: If no more be done, then by my case, I prove lawful. If any do proceed further, and commit sacriledg: Whether many, or few, young or old, wittingly, or ignorantlie, I excuse them not, but joyn in your censure, parag. 10. 11. 12.

But parag. 13. 'When the Church is stript of her means, 'what kinde of Clergy shall we have? Jeroboams Priests, the lowest of the people (say you.) And have we not had many such, under the Bishops, in their, and other Lay-impropriations? Nay, was it not a design to fill all the Parishes in the Episcopal Cities, with the Singing-men of the Cathedral? Which was in a great part effected: and were not they of the lowest, and many times of the worst condition of the people? This is like to continue, and increase, if the Church be farther spoiled. But if the Bishops, and Deans and Chapters lands be imploied to maintain Parochial Pastors; this will help to fill the Church with able and learned Preachers, and encourage men to dedicate their Children to the Ministery, and them to imbrace it: because if they be learned and unblameable, there will be more opportunitie of competent, though not of so great promotion, which was competible but to a few.

So the second inconvenience, pressed, parag. 13. 14. 15. is avoided also. parag. 16. All the inconvenience (you say) 'that Master Greve presseth, is, that we are not subject to the

" *Parliament.* But how far forth we are, and are not, we ſhall hear anon.

Parag. 17. 18. You tell me, *I ſpeak much of a firſt and* " *ſecond oath.* I anſwer, if that be an error, I was led into it by my firſt Opponent, that diſtinguiſh'd between oath and oath; and the oath to maintain the priviledges of the Clergie, he ſaith expreſly, is taken after the oath to the whole Realm: neither do I ſee any thing in your Analyſis of the oath here, or the delineation of the oath, in the beginning of your Book, that invalidates the expreſſion of my Opponent in realitie, though in ſome formalitie it doth. For there I ſee, that the King had particularly, and diſtinctly, engaged himſelf to the whole Realm, before he came to the Biſhops, which are the onely part of the Clergie, about whom our controverſie is; and what he laſt promiſes to them, confirmed by his oath, muſt not contradict what he hath promiſed to the other: which promiſe muſt be underſtood to have a prioritie in order, in the bond of the oath, as well as in the bond of the promiſe.

Parag. 19. You ſpeak *of ſending us to Magna Charta, to* " *know who the People and Commons of this Kingdom are,* &c. which only fills up ſo much paper, being nothing to the queſtion in hand.

But Parag. 20. You *reckon up the Priviledges of the* " *Church, as you have gleaned them out of Magna Charta,* " *and Sir* Edward Cook, *in number* 8. *The ſecond is, that* " *no Eccleſiaſticall perſon be amerced according to the value of* " *his Eccleſiaſticall benefice, but according to his lay-tenement,* " *and according to the quality of his offence.* The latter clauſe is reaſon, the former a priviledg without reaſon, and prejudiciall to the Civill ſtate, and gives many Eccleſiaſtical perſons leave to ſin *impunè*. The fourth, *That all Eccleſiaſticall* " *perſons ſhall enjoy all their lawfull juriſdictions, and other* " *rights, wholly without any diminution, or ſubſtraction what-ſoever.* I pray you, if the *Kings* Coronation-oath engage ſo to the confirmation of this priviledg, that the king cannot conſent to allow it by Act of Parliament; how can that act be juſtified, that enables the Crown of *England* to appoint what

what perſons elſe they will, to execute all Eccleſiaſticall juriſdiction in this kingdom? If that ſtatute were lawfully made, notwithſtanding this oath, why then may not another ſtatute be made againſt their ſtanding, ſith by the former they may be made unuſefull? and yet the former, you brag, *you "have engaged your ſelves to maintain, in your oath of ſupremacie, Parag. 9.*

The fifth priviledg you name, is, "*that a Biſhop is regularly the Kings immediate Officer to the Kings Court of juſtice, in cauſes Eccleſiaſticall.* Whence I gather, that by our law, a Biſhop is a kings creature, no Apoſtle; for he was the immediate Officer of Chriſt; though ſubject, in doing or ſuffering, to the Civill Magiſtrate, though heathen.

You conclude, "*that it is provided by act of Parliament, "that if any judgment be given, contrary to any points in the "great Charter, it ſhall be holden for nought,* &c.

True, unleſs it be upon ſome particular ſtatute of a latter Parliament, with the king, enacting things to the contrarie.

Parag. 21. You ſay, "*that I go forward, as if it were "certain, that this to the Clergie, was a ſeverall oath from that to the people.*

I anſwer, I diſputed upon my opponents propoſals; and learned opponents do not uſe to make their cauſe worſe then it is, nor indeed doth he; for though the king ſwear but once, yet he promiſeth the things he ſweareth, ſeverally, and the promiſe of this to the Biſhops, in queſtion, is laſt; and therefore, in competition, muſt give way to other engagements: neither do the ſtatutes, for confirmation of *Magna Charta*, binde the hands of ſucceeding Parliaments. Whoſe hands, as the leaaned Chancellor *Bacon* obſerves, *cannot be bound by their Predeceſſors, if they ſee reaſon of alteration; a ſupream and abſolute power* (ſaith he) *cannot conclude it ſelf.* Hiſt. of *H.* 7. p. 145.

CHAP.

CHAP. X. PARAG. 3.

Shewing, that the Clergie are equally under the Parliament, as well as Laytie, in answer to Doctor Boughen's *9. Chapter.*

I Now come to answer your ninth Chapter, which is an angrie one; which makes me think that you were sorely puzled: My *Dilemma* is, They are subject to the Parliament, or they are not. He answers, "*subject they are to the Parlia-*"*ment, consisting of head and members; not to the members* "*alone, without the head; for we are subject to the members,* "*only for the heads sake.* Truly, this grant is all that I desire, or need; for the Parliament, I propose the *Dilemma* about, is that which consists of head and members united; to which if they be subject, then may these joyntly determine of any of their priviledges, in their own nature alterable, as they do of those of the people. Indeed, the King and Parliament ought not to take away any priviledges that are for edification, but such as prove impedimenrs rather; but, of that they are to be Judges, in the application of their power, and that's all needfull to be said to 1 arag. 1,2,3,4,5.

And yet I leave it with confidence to the judicious Reader, as also, what I have said in the former *Paragraph*, touching a former and latter oath.

But whereas you ask, Parag. 6. "*with what face I can* "*say, that the Kings oath to the Clergie is inconsistent with his* "*oath to the people*, parag. 6. I wonder with what face you can aver it, when as I directly say, it must not, and therefore take off an interpretation of it, that would make it inconsistent: whereas you say, "*the nation is weary of the* "*Presbyterian government in three years*; its but a piece of none-sence, sith this three years, (except a little liveless shew in the City of *London*, and some few places more) the truth is, and our miserie is, that we have been under no Ecclesiasticall

aſticall government at all.

Parag. 7. You mention my words, " *if the oath had ſuch* " *a ſence when the Clergie were a diſtinct Corporation, on which* " *you ſpend your judgment, if you know what ſence is.* Truly Sir, you are the worſt at picking out ſence, that ever I knew, of a D. D. My meaning is plain, if the oath had a ſence to exempt them from power of Parliament, it muſt be when they were a diſtinct Corporation, under another Supremacie, which now you diſclaim.

Parag. 8. You miſtake, " *in ſaying I am zealous in diſtinguiſhing you and your Priviledges.*

I anſwer to the diſtinction brought by my opponent, that it is not ſuch, but that the Priviledges of Clergie and People (I mean ſuch as are alterable) are equally under Parliamentarie power, for alteration on juſt grounds. And the kings oath to you is as obligatorie, as to the people, in the right ſence, and intention of it, which the review of the Covenant ſaith, is all the obligation of an oath.

Parag. 9. You ſpeak about *the change of the condition of the* " *Clergie, as though the intent were to make it ſlavery.* Sure Sir, its far from my intent: The Engliſh Laytie are not ſlaves. He that ſaith, the Priviledges of the Engliſh Clergie, that they hold by law, are inviolable to them, while the law remains; but that the laws concerning them, are alterable; makes them not ſlaves, but equall in freedom to any Engliſh Lay-ſubject.

But Parag. 10. You would pretend to a little ſubtiltie; for you ſay, " *the change of the Clergies condition, from Popery to* " *Proteſtancy, was for the better or for the worſe.*

I anſwer, undoubtedly, for better, morally; for now we are in Chriſts way. *Let every ſoul be ſubject*, &c. *Rom.* 13. 1. Then we were in Anti-Chriſts way: but yet in a civill reſpect, we have not ſuch exemptions or liberties as we had: we are more under uncivil power, but this is for the better; for that libertie that is without Gods leave, is not indeed a privileg, but a ſnare to the partie holding it. I confeſs with you, " *that* " *the intent of the Kings oath, was to protect his ſubjects in* " *their ſeverall places, dignities, and degrees, and not to ſuf-*

fer

ſent, and deſire by Petition. Beſides, have you forgot the ſtatute, your ſelf quoted, *pag.* 85? *That no Act of Parliament be paſſed by any Sovereign of this Realm, or any other authority whatſoever, without the advice and conſent of the three Eſtates of the Kingdom,* &c. *Oportet te eſſe memorem.*

But you will come to *Scriptures, Fathers, and moderne Authors,* as *Parag.* 6. 'Peter *aſcribeth ſupremacie to the King,* 1 *Pet.*2.13,14. But that is clearly, as I have ſaid, as Supream Magiſtrate, to whom others are ſubordinate, and this admonition muſt be with limitation too, where Kings are ſupream. You do not think that the Apoſtle doth level all Kings, and give them all one equal ſupremacie; No, the Apoſtle had no power, nor would not attempt, to alter the conſtitution of Nations. Now *Grotius* will tell you; ſome Kings are not ſupream. Thoſe of *Athens* were under the power of the people, thoſe of *Lacedemon,* under the *Ephori.* See *Grot. de jure bel. & pac. lib.* 1. *cap.* 2. *parag.* 8. The ſentences out of Fathers, which you quote, *parag.* 6, and 7. ſpeak of abſolute Monarchs, which you ignorantly, or flatteringly, ſay ours is; but our King denies it, calling our government a mixture of all the three, and a regular Monarchie, Collect. of Declar. *&c. pag.* 320.321. And that ſentence cited by you out of *Grotius* will confute you; *Thats "the ſupream civil power, cujus actus alterius juri non ſub-"ſunt. Whoſe acts are not ſubject to another mans cenſure;* For thoſe acts that any do by the Kings authoritie, are the Kings acts; and the Parliament hath power to diſanul theſe acts, and puniſh *theſe agents,* as the King informeth, *Collect. of Remonſtr.* pag. 321. to ſhew, the compleatneſs of our government. *Our Law indeed* (ſaith the king) *can do no wrong*; that is, he cannot work, but by Agents: and the law takes no notice of him in it, but of the Agents, to puniſh them.

But you proceed, *Parag.* 8. *I know* (ſay you) *you relye "more upon the laws of the Land, then upon the Word of God.* But I believe therein you ſpeak againſt your conſcience; what you produce, that the king is the ſupream Head, is no

more then what I aſcribe to him, to be ſupream Magiſtrate, and in that he is alone, and the head one; and therefore the *Bull* of two Supremacies, you ſpeak of, is but a *Calf* of your own fancie.

What you ſay, *Parag.* 9, 10. 13. *Touching the Parliament "being ſubjects, and petitioning to him as ſubjects, and that 'Bills are not in force without him.* I confeſs: but theſe onely denie that ſupremacie in the Parlament, which I never aſſerted: but do not aſſert the ſupremacy in the king, to make, or un-make laws, without them. Therefore all this is trifling.

Par. 11; You ask, "*What ſupremacie can be in that Court, "that cannot lawfully Convene, till the King ſummon them?* There is this; The ſupremacie of a Court, as you confeſs, to be the ſupream Court; that is, there is no appeal from them, but appeals from all Courts to them: and you know, they can reverſe decrees in Courts, which the *King* cannot; he can pardon, not reverſe ſentences. They can reverſe Verdicts, but not pardon offenders.

You add *Parag.* 12. *The King is to regulate them for the "time.* I acknowledg it: this Parliament onely excepted, by a particular Statute, made in this Parliament with the *King*s aſſent. And for the manner, The king himſelf ſaith, they are free, and have priviledges of their own. *For the great Lawyers judgement,* you ſpeak of, in *Richard* the 2. "*time, That if any in Parliament proceed upon other Articles, "or in other manner then is limited by the King,* &c. *they are "to be puniſhed as Traytors.*

I wonder, you will mention it, ſith that great Lawyer was flattering *Treſilyan*, who by ſuch ill Counſel helpt to over-throw his Sovereign: and in a Parliament, held in the 13. year of *Richard* 2. was for this, by the Lords in Parliament, condemned to be hanged, drawn, and quartered, which was preſently executed on him, as our Hiſtorians ſhew.

Your Collections, *Par.* 14. were diſproved before: what you ſay '*for the Kings regulating Courts of juſtice.* You miſtake, the Law is their rule, and that regulates them, which if they tranſ-

transgreſs, he may puniſh them: but the law they are ſworn to follow, againſt any private inſtructions of his; thats clearly known.

You ſum up *your arguments*, *Parag.* 15. But they are all ſhort of your concluſion: for they conclude not againſt the Parliaments being a ſupream Court, which is all I aſſert, and you confeſs in the following *page*: Nay, in this *page*, *parag.* 17. and what you have, *parag.* 16. 17. 18. 19. 20. Are ſuperfluous: For they onely concludet he King to be ſupream Magiſtrate, but exclude not the Parliament from being the ſupream Court: you ſay, *but yet it is the Kings Court*. I deny it not; I denie him onely to be above it, in the capacitie of a Court, though it ſit by his writ. Therefore all you do here, is, but *lis de lana caprina*, meer trifling.

And as captious a conceipt is that, that you conceive not "*They have power to make and alter laws at pleaſure; for* "*there is great danger in altering laws without urgent cauſe.* Who doubts it? What need you prove it? But to make up want of proof in things to be proved? Who knows not, that wiſedom and moderation in Law-makers, is to regulate that power that they may put forth upon any, that they put it not forth, but upon juſt occaſion?

Parag. 22. You infer, *If the King cannot do any thing a-* "*gainſt the legal rights of others, ſo nor Parliaments.* True; they ought not to over-rule or alter the rights of other, but for the publike good; but for that they may; you know there were many had legal rights in offices in Star-Chamber, and yet for publike good, the King condeſcended to a Bill of abrogation.

Parag. 23. You tell us, '*The King is above law.* That is, ſay you, *Common-law*. But this is your fiction; for the King ſaith, he is a regular Monarch, that is regulated by laws, ſo in a ſence under them. The common cuſtom of our Nation is, that actions may be commenced againſt the King at the Common-law; therefore you ſpeak againſt experience, in ſaying, that the king is above the Common-law; which appears alſo, in that the Judges of the Common, as well as Statute-law, are ſworn not to denie, or delay juſtice to any, for any

Letter, or Prohibition of the king. And though his *taking 'the Parliament into the joynt assistance of making laws, makes 'not them supream*: yet it hinders that supremacie of laws-making from being solely in him, sith he can do nothing without them.

For *Parag.* 24. *I would not brand you, nor delude the people*, as you object; But onely seek to give a rational sence of the kings oath, which they that oppose, brand themselves. I did believe, what I expres'd in my good conceit of the present Bishops tenderness to preserve the King from hazzard; but if they be all of your minde, I see I am deceived for; let the Crown, or life of king, sink or swim, he shall have no consent from you to enlarge his conscience, to consent to aboliſh Episcopacie, for the safegard of either.

For *Parag.* 25. 26. I desire no more, then that the king should give every one his own, preferring the publike before any private. I confess the kings readiness to confirm Bills, such and so large, as never were the like; but yet I know, and you know, what danger the king and land hath been, and is in, for want of consent to let down Episcopacie: And in this exigent wherein we are, by the corruption of man, I humbly give my advice, to promote Peace, and prevent much of that blood, and misery, which for want of peace still continues; and threatens worse to the Church (I confess) then either the want or presence of Bishops.

But your Sun must set under a Cloud, and therefore, *Parag.* 17. you tell me, *He that slayeth a Prelate, to whom he 'owes faith and obedience, its Treason*: you amplifie, *If it be 'Treason to kill a Prelate, then how much greater to kill Prelacy. Negatur Argumentum, egregie* D. D. It follows not; for he that kills a Bishop, kills a man, and he hath Gods Image stampt on him. But Episcopacy, as I have shewed, is but κτίσις ἀνθρωπίνη, *an inhumane creature*; so he may be removed regularly, without any injury to God. Besides, you consider not that *Bishop* is a concrete word, including a man and Episcopacy, *Concretum relativum*, as the Logicians call it. But Episcopacie is an abstract: your similitude onely holds thus, *as it were worse to kill the species, then one man*; so

to abolish Episcopacy, then to degrade one Bishop; If either were evil. But, in a regular way, I have shewed you, both are good; therefore, as I fear not your law, so I doubt not of Gods approbation, being conscious to my sincere intentions, for the good of King and kingdom, in it.

For your Conclusion, *Parag. Ult.* I must minde you, that it cannot be better then the Premises, *Conclusio sequitur deteriorem partem.* Therefore I may conclude, *That would "the abolition of Episcopacy make our peace, put an end to blood, rapine, misery*: The king may with safety and approbation do it. But if God be not pleased to perswade his heart so far; If that moderation that he would bring them to, would satisfie others: I think, as the case stands, they may do innocently, and commendably, to close with him. Yea, I think, those, who upon a serious consideration of the over-flowing of all sin, with an high hand, shall yield first; (that some government may be setled in the Church, Laws recover their power in the Common-wealth, sin be prevented, Justice and amity revived) they will be most acceptable to God, and ought to be so with men.

Deo gloria. *Finis*

Postscript.

THe sentence, you, after all, cite out of Doctor *Burges*, I may not pass over. "*Observe the plagues "of such men, as are never touch'd with the miseries of "others: They commonly fall under the same judg-"ments which others, unpitied, have tasted before.* I thank God, this toucheth not me; for I have neither caused, nor been senceless of the miseries of others. But have not many poor Ministers been silenc'd,

turn'd

turn'd out of all, for things that others counted trifles, and might have forborn them in, but they ſcrupled at as ſins, and could not ſubmit? And have they not paſt unpitied by many Prelates and Prelatical men? I ſpeak not of my own Dioceſan, whom I found moſt pittiful, and would not be ſlack to requite it, with active ſympathie, upon good opportunity. But *Doctor*, you know what pitty you vouchſafe them in this Treatiſe. *Nothing but Schiſmaticks, and Hereticks, juſtly ejected*, &c. Therefore now, with *Joſephs* Brethren, conſider how you have been in a fault concerning your Brethren, *Gen.* 42. 21. 22. and give glory to God, that he may lift you up, which I heartily wiſh and beg of God; and ſo Doctor, fare you well.

Errata.

PAge 17. *line* 17. *read officers.* page. 18. *line* 24. *dele and.* p. 21 *l.* 10. χ. p. 24. *put in the margin againſt line.* 7, 8, 9. *Apol. cap.* 39. p. 37. *l.* 31. *dele or.* p. 49. *l.* 25. *r. by.* p. 61. *in title of the* 6. *chapter for explanations, r. exclamations.* p. 70. l. 2. *for me, r. men,* p. 75. *l.* 14. *for can r, cannot,* p. 95 *l.* 17. *for one, r. me.* p. 100. *l.* 2. *for cauſe, r. caſſe.* p. 104. *l.* 24. *for uncivil, r. civil.* p. 106. *l.* 16. *r. This muſt, ariſeth.* p. 112. *l.* 28. *r. diminiſhing.* p. 114. *l.* 20. *r.* Διάνοιαι, p. 116. *l.* 9. *r. is, So Epiſcopacy.* p. 119. *l.* 18. *read ſummus.*